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<p>1 IN THE UNITED STATES DISTRICT COURT</p> <p>2 NORTHERN DISTRICT OF OHIO - EASTERN DIVISION</p> <p>3 RICKY JACKSON,</p> <p>4 Plaintiff,</p> <p>JUDGE BOYKO</p> <p>5 -vs- CASE NO. 1:15-CV-00989</p> <p>6 CITY OF CLEVELAND, et al.,</p> <p>7 Defendants.</p> <p>8 _____/</p> <p>8 KWAME AJAMU, et al.,</p> <p>9 Plaintiffs,</p> <p>10 -vs- JUDGE BOYKO</p> <p>CASE NO 1:15-CV-01320</p> <p>11 CITY OF CLEVELAND, et al.,</p> <p>12 Defendants.</p> <p>13 _____/</p> <p>14 Videotaped deposition of EDWARD VERNON, taken</p> <p>15 as if upon examination before Brian A. Kuebler, a</p> <p>16 Notary Public within and for the State of Ohio,</p> <p>17 at the offices of Friedman & Gilbert, 55 Public</p> <p>18 Square, Suite 1055, Cleveland, Ohio, at 9:31 a.m.</p> <p>19 on Thursday, October 29, 2015, pursuant to notice</p> <p>20 and/or stipulations of counsel, on behalf of the</p> <p>21 Plaintiffs in this cause.</p> <p>22 - - - -</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 ALSO PRESENT:</p> <p>2 Brad J. Simpson - Videographer (216)382-1043</p> <p>3</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
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<p>1 APPEARANCES:</p> <p>2 Elizabeth Wang, Esq.</p> <p>Loevy & Loevy</p> <p>3 2060 Broadway, Suite 460</p> <p>Boulder, Ohio 80302</p> <p>4 (720) 328-5642,</p> <p>5 On behalf of the Plaintiff;</p> <p>Ricky Jackson;</p> <p>6</p> <p>Terry H. Gilbert, Esq.</p> <p>7 Jacqueline C. Greene, Esq.</p> <p>Friedman & Gilbert</p> <p>8 55 Public Square, Suite 1022</p> <p>Cleveland, Ohio 44113</p> <p>9 (216) 241-1430,</p> <p>10 and</p> <p>11 David E. Mills, Esq.</p> <p>The Mills Law Office, LLC</p> <p>12 1300 West Ninth Street, Suite 636</p> <p>Cleveland, Ohio 44113</p> <p>13 (216) 929-4747,</p> <p>14 On behalf of the Plaintiffs,</p> <p>Kwame Ajamu and Wiley Bridgeman;</p> <p>15</p> <p>Stephen W. Funk, Esq.</p> <p>16 Amanda M. Knapp, Esq.</p> <p>Roetzel & Andress</p> <p>17 222 South Main Street</p> <p>Suite 400</p> <p>18 Akron, Ohio 44308</p> <p>(330) 376-2700,</p> <p>19</p> <p>On behalf of the Individual</p> <p>20 And Estate Defendants;</p> <p>21 Shawn Mallamad, Esq.</p> <p>City of Cleveland Law Department</p> <p>22 601 Lakeside Avenue</p> <p>Room 106 City Hall</p> <p>23 Cleveland, Ohio 44114</p> <p>(216) 664-2569,</p> <p>24</p> <p>On behalf of the Defendant,</p> <p>25 City of Cleveland.</p>	<p>1 INDEX</p> <p>2 EXAMINATION</p> <p>EDWARD C. VERNON</p> <p>3 BY MS. WANG 8</p> <p>EXAMINATION</p> <p>4 EDWARD C. VERNON</p> <p>BY MR. GILBERT 139</p> <p>5 EXAMINATION</p> <p>EDWARD VERNON</p> <p>6 BY MR. FUNK 141</p> <p>RE-EXAMINATION</p> <p>7 EDWARD VERNON</p> <p>BY MS. WANG 225</p> <p>8 RE-EXAMINATION</p> <p>EDWARD VERNON</p> <p>9 BY MR. FUNK 236</p> <p>10 Plaintiff's Exhibit 1 10</p> <p>Plaintiff's Exhibit 2 14</p> <p>11 Plaintiff's Exhibit 3 20</p> <p>Plaintiff's Exhibit 4 41</p> <p>12 Plaintiff's Exhibit 5 85</p> <p>Plaintiff's Exhibit 6 113</p> <p>13 Plaintiff's Exhibit 7 234</p> <p>Defendant's Exhibit A 144</p> <p>14 Defendant's Exhibit B 146</p> <p>Defendant's Exhibit C 160</p> <p>15 Defendant's Exhibit D 161</p> <p>Defendant's Exhibit E 206</p> <p>16 Defendant's Exhibits F, G 222</p> <p>17</p> <p>OBJECTION INDEX</p> <p>18</p> <p>MR. FUNK 16</p> <p>19 MR. FUNK 52</p> <p>MR. FUNK 54</p> <p>20 MR. FUNK 60</p> <p>MR. FUNK 65</p> <p>21 MR. FUNK 65</p> <p>MR. FUNK 67</p> <p>22 MR. FUNK 70</p> <p>MR. FUNK 73</p> <p>23 MR. FUNK 73</p> <p>MR. FUNK 75</p> <p>24 MR. FUNK 75</p> <p>MR. FUNK 79</p> <p>25 MR. FUNK 81</p>

<p style="text-align: right;">Page 5</p> <p>1 MR. FUNK 82 MR. FUNK 83 2 MR. FUNK 83 MR. FUNK 83 3 MR. FUNK 85 MR. FUNK 86 4 MR. FUNK 86 MR. FUNK 87 5 MR. FUNK 87 MR. FUNK 88 6 MR. FUNK 91 MR. FUNK 91 7 MR. FUNK 92 MR. FUNK 94 8 MR. FUNK 95 MR. FUNK 95 9 MR. FUNK 96 MR. FUNK 97 10 MR. FUNK 97 MR. FUNK 103 11 MR. FUNK 108 MR. FUNK 109 12 MR. FUNK 112 MR. FUNK 117 13 MR. FUNK 117 MR. FUNK 121 14 MR. FUNK 125 MR. FUNK 126 15 MR. FUNK 131 MR. FUNK 139 16 MR. FUNK 139 MS. WANG 142 17 MS. WANG 148 MS. WANG 154 18 MS. WANG 155 MS. WANG 159 19 MS. WANG 173 MS. WANG 176 20 MS. WANG 179 MS. WANG 193 21 MS. WANG 203 MS. WANG 203 22 MS. WANG 213 MS. WANG 214 23 MS. WANG 214 MS. WANG 214 24 MS. WANG 217 MS. WANG 217 25 MS. WANG 219</p>	<p style="text-align: right;">Page 7</p> <p>1 THE VIDEOGRAPHER: We're now on 2 the record. This is the videotaped 3 deposition of Edward Vernon. 4 Today's date is October 29th, 5 2015. The time is approximately 9:31. 6 This is the case of Ricky Jackson 7 versus City of Cleveland, et al., and Kwame 8 Ajamu, et al. Case Numbers 1:15-CV-00989 9 and 1:15-CV-01320. In the US District 10 Court, Northern District of Ohio, Eastern 11 Division. 12 Will counsel please identify 13 themselves and who they represent for the 14 record, please. 15 MS. WANG: Elizabeth Wang, 16 W-a-n-g. Counsel for Plaintiff, Ricky 17 Jackson. 18 MR. GILBERT: Terry Gilbert, 19 co-counsel on behalf of Kwame Ajamu and 20 Wiley Bridgeman. 21 MR. MILLS: David Mills, 22 co-counsel on behalf of Kwame Ajamu and 23 Wiley Bridgeman. 24 MS. GREENE: Jacqueline Greene, 25 co-counsel on behalf of Kwame Ajamu and</p>
<p style="text-align: right;">Page 6</p> <p>1 MS. WANG 220 MR. FUNK 227 2 MR. FUNK 227 MR. FUNK 227 3 MR. FUNK 227 MR. FUNK 228 4 MR. FUNK 229 MR. FUNK 229 5 MR. FUNK 230 MR. FUNK 231 6 MR. FUNK 231 MR. FUNK 232 7 MR. FUNK 233 MR. FUNK 233 8 MR. FUNK 233 MR. FUNK 234 9 MR. FUNK 235 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 8</p> <p>1 Wiley Bridgeman. 2 MR. MALLAMAD: Shawn Mallamad, 3 counsel of Defendant City of Cleveland. 4 MR. FUNK: Stephen Funk, counsel 5 for all the other defendants except for the 6 City of Cleveland. 7 MS. KNAPP: My name is Amanda 8 Knapp, also counsel for the individual 9 defendants. 10 THE VIDEOGRAPHER: Swear the 11 witness. 12 EDWARD C. VERNON, of lawful age, called by 13 the Plaintiffs for the purpose of examination, as 14 provided by the Rules of Civil Procedure, being 15 by me first duly sworn, as hereinafter certified, 16 deposed and said as follows: 17 EXAMINATION OF EDWARD C. VERNON 18 BY MS. WANG: 19 Q. Good morning. 20 A. Good morning. 21 Q. Could you please state your name and spell it for 22 the record. 23 A. Edward Vernon. E-d-w-a-r-d, V-e-r-n-o-n. 24 Q. And how old are you? 25 A. 53.</p>

<p style="text-align: right;">Page 9</p> <p>1 Q. What's your birth date?</p> <p>2 A. 6/10/62.</p> <p>3 Q. Where do you live?</p> <p>4 A. 5504 Superior Avenue.</p> <p>5 Q. How long have you lived there?</p> <p>6 A. Well, I just moved there about a month, month and</p> <p>7 a half ago.</p> <p>8 Q. Is that in the City of Cleveland?</p> <p>9 A. Yes.</p> <p>10 Q. How long have you lived in Cleveland?</p> <p>11 A. Primarily all of my life except for my stay in</p> <p>12 New Jersey.</p> <p>13 Q. And do you work?</p> <p>14 A. Yes, I do.</p> <p>15 Q. Where do you work?</p> <p>16 A. 7-Eleven.</p> <p>17 Q. And what do you do there?</p> <p>18 A. I'm a sales associate.</p> <p>19 Q. And what's the highest level of education you</p> <p>20 have?</p> <p>21 A. Twelfth grade.</p> <p>22 Q. Approximately when did you finish the 12th grade?</p> <p>23 A. I didn't.</p> <p>24 Q. Oh, you didn't.</p> <p>25 A. Nuh-uh.</p>	<p style="text-align: right;">Page 11</p> <p>1 Q. -- of the area around 108th and Frank Avenue in</p> <p>2 Cleveland.</p> <p>3 A. Uh-huh.</p> <p>4 Q. All right. Could you just take a look at that</p> <p>5 map for a minute. And do you see -- is that</p> <p>6 around the location where your house was in 1975?</p> <p>7 A. That's correct.</p> <p>8 Q. Okay. And do you recall if your address was 2220</p> <p>9 East 108th Street?</p> <p>10 A. Like I said, I can't remember the correct</p> <p>11 address, but I'm pretty sure that's what it was,</p> <p>12 yeah.</p> <p>13 Q. It was a little bit south of Frank on 108th?</p> <p>14 A. Yeah, yeah. Because it had the -- it's kind of</p> <p>15 like an empty field and then the opposite corner</p> <p>16 was a store, and the opposite corner of that was</p> <p>17 a little park and, yeah, and Jehovah Witness hall</p> <p>18 on the other side over there, yeah.</p> <p>19 Q. And who did you live with in that house at the</p> <p>20 time?</p> <p>21 A. I lived with my mother and my father, my three</p> <p>22 sisters.</p> <p>23 Q. What are your sisters' names?</p> <p>24 A. My sister Darlene, my sister Susan, and my sister</p> <p>25 Carly. And I also have a stepsister named Lizzy,</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. Okay. When did you attend 12th grade?</p> <p>2 A. 1980.</p> <p>3 Q. Okay. I'm going to call your attention to the</p> <p>4 date of May 19th, 1975.</p> <p>5 A. Uh-huh.</p> <p>6 Q. How old were on you May 19th, 1975?</p> <p>7 A. Twelve.</p> <p>8 Q. And what school did you go to then?</p> <p>9 A. Audubon Junior High School.</p> <p>10 Q. And where did you live at that time?</p> <p>11 A. I stayed on Frank Avenue between Frank and East</p> <p>12 108th. I stayed on 108th, which corresponds with</p> <p>13 Frank, yeah.</p> <p>14 Q. Do you remember the address?</p> <p>15 A. Not vaguely, no. Not right offhand.</p> <p>16 - - - -</p> <p>17 (Thereupon, Plaintiff's Exhibit 1 was marked</p> <p>18 for purposes of identification.)</p> <p>19 - - - -</p> <p>20 Q. I'm going to hand you what's been marked as</p> <p>21 Plaintiff's Deposition Exhibit 1.</p> <p>22 A. Uh-huh.</p> <p>23 Q. It's a -- for the record, it's a four-page</p> <p>24 exhibit of some printouts from Google Maps --</p> <p>25 A. Uh-huh.</p>	<p style="text-align: right;">Page 12</p> <p>1 Elizabeth. She stays with my grandmother.</p> <p>2 Q. Okay. And were you the oldest, youngest, or in</p> <p>3 the middle?</p> <p>4 A. No, I was the youngest of the boys. I was kind</p> <p>5 of like second to the last of the kids, so --</p> <p>6 Q. Okay. On Deposition Exhibit 1 would you mind</p> <p>7 putting an X in the approximate location of your</p> <p>8 house in May of 1975?</p> <p>9 A. I'd say right around in here (indicating). Right</p> <p>10 about in there (indicating) because, you know, we</p> <p>11 had the other houses right in here, and so Frank</p> <p>12 Avenue, yeah, that's about right.</p> <p>13 Q. And turning to page two of Deposition Exhibit 1.</p> <p>14 That is an aerial map printout of the area around</p> <p>15 108th and Frank Avenue.</p> <p>16 Do you see the corner of Stokes and Petrarca?</p> <p>17 A. Yeah. Yes. Uh-huh.</p> <p>18 Q. Back in 1975 did Stokes have a different name?</p> <p>19 A. It was called East Boulevard, if I'm not</p> <p>20 mistaken. East Boulevard.</p> <p>21 Q. Do you recall if it was called Fairhill?</p> <p>22 A. Fairhill, yeah. Because East Boulevard was on</p> <p>23 the other side where we came down the hill. But,</p> <p>24 yeah, this was -- this was --this here was</p> <p>25 Fairhill (indicating).</p>

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1 Q. Okay. And so for the record, you're pointing to
2 Stokes Boulevard, that was Fairhill?
3 A. Uh-huh.
4 Q. Is that a "yes"?
5 A. Yes.
6 Q. Okay. Do you see on the map there there's a
7 corner of what used to be called Fairhill and
8 Petrarca, there's a church there on the corner?
9 A. Uh-huh. Yes.
10 Q. Was that -- was there -- was that church there in
11 1975, do you know?
12 A. Yes.
13 Q. Okay. And at the corner of Fairhill and Petrarca
14 in May of 1975, was there a drugstore?
15 A. Yes.
16 Q. What was that drugstore called?
17 A. Let's see, Fairmount Cut-Rate.
18 Q. Fairmount Cut-Rate?
19 A. Uh-huh.
20 Q. Is that a "yes"?
21 A. Yes.
22 Q. Just for the record, because the court reporter
23 is taking down what you say, you'll just need to
24 try to avoid saying uh-huh or nuh-uh, things like
25 that. Instead say "yes" or "no" or --

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1 A. No problem.
2 Q. Okay. Thank you. Could you mark the location of
3 where the Fairmount Cut-Rate was on that map
4 that's been marked Deposition Exhibit 1 page two?
5 A. Uh-huh.
6 Q. Actually, you know what, strike that. I'm going
7 to give you a closer up map. Here, I'm going to
8 have this marked --
9 - - -
10 (Thereupon, Plaintiff's Exhibit 2 was marked
11 for purposes of identification.)
12 - - -
13 Q. Handing you -- you can put this away for a
14 minute.
15 Handing you what's been marked as Deposition
16 Exhibit 2 --
17 A. Uh-huh.
18 Q. -- that is an aerial view of the area around
19 Petrarca, Fairhill and Cedar Avenue in Cleveland.
20 Do you recognize that --
21 A. Yes.
22 Q. -- area?
23 A. Uh-huh.
24 Q. Is that a "yes"?
25 A. Yes.

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1 Q. It's a hard habit to break.
2 And do the locations of the streets on that
3 map fairly and accurately represent what the
4 streets looked like in May of 1975?
5 A. Yes.
6 Q. Okay. And could you mark where the Fairmount
7 Cut-Rate was on that map that's been marked
8 Deposition Exhibit 2?
9 A. About here (indicating).
10 Q. Okay.
11 MR. FUNK: Can I -- just a second
12 --
13 MS. WANG: Yeah, sure.
14 MR. FUNK: -- I'm sorry, I just
15 want to be able to see it. Okay. Thanks.
16 THE WITNESS: Uh-huh.
17 BY MS. WANG:
18 Q. And so you've marked in red, with a red dot, the
19 location of the Fairmount Cut-Rate --
20 A. Uh-huh.
21 Q. -- on the Deposition Exhibit 2; is that correct?
22 A. Yes.
23 Q. And so it's right at the corner of Fairhill and
24 Petrarca on the west side of Petrarca; is that
25 right?

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1 A. That's correct.
2 Q. Okay. And back on May 19th of 1975, do you
3 recall hearing about a shooting that took place
4 there outside of the store?
5 A. Yes.
6 Q. And did you at some time later learn the name of
7 the person who was shot there?
8 A. Yes, I did.
9 Q. And what was that person's name, if you recall?
10 A. Well, I know it was the money order man --
11 Q. Okay.
12 A. -- okay.
13 Q. And could you describe what you mean by "money
14 order man"?
15 A. That's what he did, he delivered the money
16 orders.
17 Q. Okay.
18 A. And also Ms. Robinson, the store owner.
19 Q. Mrs. Robinson?
20 A. Yeah, the store owner's wife.
21 Q. Okay. And what did you hear had happened to
22 Mrs. Robinson?
23 MR. FUNK: Objection. Go ahead.
24 I'm sorry --
25 Q. What did you mean by Mrs. --

<p style="text-align: right;">Page 17</p> <p>1 MR. FUNK: -- I'll object from 2 time to time. You can go ahead and answer 3 the question. 4 Q. Let me re-ask that question. Strike that. 5 You said and Mrs. Robinson? 6 A. Uh-huh. 7 Q. What did you mean by that? What happened to her? 8 A. She was one of the people that got shot, too. 9 Q. Okay. And she was the store owner's wife you 10 said? 11 A. Uh-huh. 12 Q. Is that a "yes"? 13 A. Yes. 14 Q. On May 19th of 1975 did you see anyone shoot the 15 money order salesman? 16 A. No. 17 Q. On May 19th of 1975 did you see anybody shoot 18 Mrs. Robinson? 19 A. No. 20 Q. Do you know who Ricky Jackson is? 21 A. Yes. 22 Q. Do you know who Wiley Bridgeman is? 23 A. Yes. 24 Q. Do you know who Ronnie Bridgeman is? 25 A. Yes.</p>	<p style="text-align: right;">Page 19</p> <p>1 him over the head with a stick and threw 2 something in his face. 3 Q. Do you remember what you testified about Wiley? 4 A. I said Wiley was driving the car. 5 Q. Okay. Was any of that true? 6 A. No. 7 Q. Did you see any of them participate in any crime 8 on May 19th, 1975? 9 A. No. No, I didn't. 10 Q. On May 19th of 1975 were you going to school? 11 A. Yes. 12 Q. What school did you go to? 13 A. Audubon Junior High. 14 Q. And do you recall where Audubon Junior High was 15 located? 16 A. Yes. 17 Q. And where was that? 18 A. On Corlett. 19 Q. Do you recall how to spell that? 20 A. C-o-r-l-e -- l-e-t-t, Corlett. 21 Q. Okay. Was it -- in what direction, like north, 22 south, east, west, was it from where your house 23 was? 24 A. Well, the front part of Audubon was on East 25 Boulevard, okay? And the back part was on -- I</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. Did you see Ricky Jackson shoot anyone on May -- 2 A. No. 3 Q. -- 19th of 1975? 4 A. No. 5 Q. Did you see Wiley Bridgeman participate in any 6 crime on May 19th, 1975? 7 A. No. 8 Q. Did you see Ronnie Bridgeman participate in any 9 crime on May 19th, 1975? 10 A. No. 11 Q. And did you testify at the criminal trial of 12 Ricky Jackson in 1975? 13 A. Yes, I did. 14 Q. And did you testify at the trials of Ronnie 15 Bridgeman and Wiley Bridgeman in 1975 and 1977? 16 A. Yes. 17 Q. And at Ricky Jackson's criminal trial, what did 18 you testify then about his role in the crime 19 involving the money order salesman? 20 A. I testified that he was the one that shot the 21 money-order man and Ms. Robinson. 22 Q. And what did you testify at Ronnie and Wiley's 23 trial back in the '70s about their roles in the 24 crime involving the money-order salesman? 25 A. I said that Ronnie Bridgeman was the one that hit</p>	<p style="text-align: right;">Page 20</p> <p>1 mean not off of Corlett. I'm mistaken, not off 2 of Corlett. But the backside was just the 3 backside, but East Boulevard, let's put it that 4 way. 5 Q. Does East Boulevard have a different name today, 6 do you know? 7 A. I'm not sure. 8 - - - - 9 (Thereupon, Plaintiff's Exhibit 3 was marked 10 for purposes of identification.) 11 - - - - 12 Q. I'm showing you what's marked as Deposition 13 Exhibit 3. For the record it is a -- 14 A. Martin Luther King Boulevard, yeah. 15 Q. -- it is a four-page exhibit of maps of the area 16 around what is now called Martin Luther King 17 Junior Drive and Manor Avenue near Woodland Hills 18 Park. 19 A. Uh-huh. 20 Q. Could you take a look at that and let me know if 21 you see the location of where your school was in 22 1975? 23 A. Yeah. Continental. Uh-huh. Yep. Continental. 24 It's the backside which would have been 25 Continental runs down, but East Boulevard, yeah,</p>

1 right here (indicating) -- right here where the
 2 little --
 3 Q. Where the little balloon is?
 4 A. Yes, uh-huh.
 5 Q. Just for the record, you've marked with red pen
 6 on Deposition Exhibit 3 the location of the
 7 Audubon school in 1975?
 8 A. Right. That's correct.
 9 Q. And it's where the little balloon is?
 10 A. Uh-huh.
 11 Q. Is that a "yes"?
 12 A. Yes.
 13 Q. So, was East Boulevard Martin Luther King Drive
 14 or is that a different street, I just want to
 15 clarify?
 16 A. No. If I'm not mistaken, that's what they called
 17 it back then --
 18 Q. Oh, okay.
 19 A. -- I believe.
 20 Q. Okay. All right. So, how did you generally get
 21 to school in the mornings in May of 1975?
 22 A. We would take -- we would take the school bus.
 23 They picked us up in front of -- right there in
 24 front of -- actually where the store was. Coming
 25 up, which is now called -- well, back then was

1 called Fairhill. And go up Fairhill.
 2 Q. So, let's take a look at Deposition Exhibit 2.
 3 This one (indicating).
 4 A. Uh-huh.
 5 Q. That's the map of Fairhill and Petrarca.
 6 A. Right.
 7 Q. Do you see the location where the bus would pick
 8 you up in the morning to take you to school?
 9 A. Uh-huh. The bus stop right about here
 10 (indicating).
 11 Q. Can you put maybe a "B" for "bus"?
 12 A. Uh-huh. (Indicating).
 13 Q. Okay. So, for the record you've marked in red
 14 pen with a B the location of your morning
 15 pickup --
 16 A. Uh-huh.
 17 Q. -- at the bus stop to go to school --
 18 A. Yes.
 19 Q. -- to the Audubon School --
 20 A. Yes.
 21 Q. -- is that correct?
 22 Okay. And so that's on the -- okay. So,
 23 that's on the west side of the street on
 24 Fairhill?
 25 A. Yes.

1 Q. Okay. And it was up the street from the store;
 2 is that right?
 3 A. Yeah. You know, coming around the corner and
 4 you've got the little house there which is
 5 connected to the store and then you had a couple
 6 more houses, and then you got the bus stop right
 7 there. Sohio gas station was right in here
 8 (indicating).
 9 Q. So, just for the record, you're saying there was
 10 a couple houses in between where the store was,
 11 the Fairmount Cut-Rate, and the bus stop?
 12 A. Yeah. They kind of set back a little bit --
 13 Q. Okay.
 14 A. -- off of the sidewalk there.
 15 Q. And you're saying that Ohio -- Sohio?
 16 A. It was a Sohio gas station there, uh-huh.
 17 Q. Is that where that parking lot is now?
 18 A. Yes. Uh-huh.
 19 Q. Okay. And which direction would the bus -- so
 20 the bus would be going south?
 21 A. No. It would be coming up this way, yes.
 22 (Indicating). Uh-huh.
 23 Q. Okay. And so you're pointing south, you would be
 24 going south --
 25 A. Yes.

1 Q. -- down the street --
 2 A. Yes.
 3 Q. -- down Fairhill?
 4 A. Yes.
 5 Q. Okay.
 6 A. Going up.
 7 Q. And I get a little confused because you're
 8 saying --
 9 A. Going up.
 10 Q. -- up -- oh, because it's uphill?
 11 A. Yeah, it goes up --
 12 Q. Okay.
 13 A. -- it goes up.
 14 Q. All right. When I think up/down, I think north,
 15 south.
 16 A. That's okay.
 17 Q. Okay. So, when you're referring to going up
 18 Fairhill, you're saying it's going up the hill?
 19 A. Yes.
 20 Q. But it's going south?
 21 A. Yes.
 22 Q. All right. So, then which bus did you -- how did
 23 you -- after -- so that's in the morning, right,
 24 to go to school?
 25 A. Huh?

<p style="text-align: right;">Page 25</p> <p>1 Q. That's -- what we were just talking about, in 2 terms of the bus, was to go to school in the 3 mornings, right? 4 A. Uh-huh. 5 Q. Okay. 6 THE COURT REPORTER: "Yes"? 7 Q. Is that a "yes"? 8 A. Yes. 9 Q. After school what bus would you normally take 10 home? 11 A. We'd take the school bus home. 12 Q. Where would you pick up the school bus? 13 A. Right behind, because the school sits here, the 14 front part, and you would have, which is 15 Continental, and you have a little -- I don't see 16 it, but it's a -- I'll just say right here 17 (indicating) where Continental is. Because 18 Continental, it runs down from 116th and it runs 19 -- it ends at -- oh, man, I don't know that 20 little side street that goes all the way down, 21 but it's about right here (indicating) where this 22 little dot is. That will be like behind, behind 23 Audubon -- 24 Q. Okay. 25 A. -- that's all. And it would pick us up on the</p>	<p style="text-align: right;">Page 27</p> <p>1 (indicating) and it would come down and it would 2 come down, and then it would get there 3 (indicating). 4 And after it gets to, then it would come down 5 and -- let's see -- oh, man, this is so -- I 6 don't know, it's like a zoom, zoom -- okay. And 7 once it came down, all the way down and it would 8 come up to Cedar Avenue and make the turn on 9 Cedar and then it would come up Cedar Avenue -- I 10 think that's Cedar there, right? So, that would 11 be Cedar there. It's kind of hard to read these 12 lines, so -- 13 Q. Okay. So -- 14 A. -- but anyway. 15 Q. -- let's just -- I'll just ask you to clarify. 16 So, the school bus that you take after school -- 17 A. Uh-huh. 18 Q. -- to get from school to home -- 19 A. Uh-huh. 20 Q. -- would go up a hundred and -- 21 A. 116th. 22 Q. -- 116th -- 23 A. Uh-huh. Down 116th. 24 Q. -- turn -- or down 116th -- 25 A. Uh-huh.</p>
<p style="text-align: right;">Page 26</p> <p>1 back side of the school. That's where it dropped 2 us off in the morning and that's where it picked 3 us up in the morning. 4 Q. And do you recall what route the bus would take 5 home, take you home after school? 6 A. Yeah. After it would leave there -- 7 Q. And you can mark it with red pen on that exhibit, 8 if you'd like. 9 A. Right. Because it would come down and it would 10 come back up, and it would come up to 116th and 11 then it would go down 116th, down, down, down, 12 down, down, and it would come all the way down 13 and it would go -- do I see it? Do I see it? Do 14 I see it? 15 Q. If you look on the next few pages, there's a 16 zoom-down map that shows a little bit more. 17 Maybe the third or fourth page. 18 A. It would come straight down and come down to, 19 which is now called Stokes Boulevard. So, it 20 would be 116th all the way down to Stokes 21 Boulevard and go around those little bends and 22 come down to right here (indicating). 23 This is kind of like the route here almost 24 like, I guess this would be 116th right here 25 (indicating). So, it would come this way</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. -- turn on somewhere around Fairhill -- 2 A. Uh-huh. 3 Q. -- or Park Boulevard? 4 A. Probably at Park Boulevard, right. 5 Q. Park Boulevard? 6 A. Uh-huh. 7 Q. Is that a "yes"? 8 A. Yes. 9 Q. And then it would continue down Cedar? 10 A. Come down those little winding roads and then it 11 would come down to Cedar Avenue, right, at 12 University Circle -- 13 Q. Okay. 14 A. -- uh-huh. 15 Q. And then taking you back to Deposition Exhibit 2, 16 that's the zoom, closer-in map -- 17 A. Right. 18 Q. -- the bus would continue down Cedar going west? 19 A. It would, it would -- okay. If this here was 20 extended a little bit more (indicating), then 21 you'll be able to see University Circle, where 22 the Rapid and all of that is. 23 And coming down that hill, it would make that 24 turn. And it would make the turn, the bus would 25 turn here (indicating) and it would continue up,</p>

1 continue up, and continue up, and it would cross
 2 Cedar. And this would be the first bus stop that
 3 it stopped at. And then it would continue on and
 4 when it got to 108th and where the Ohio Bell and
 5 all of that is, it would make another stop there.
 6 That would be the second stop.
 7 Q. And so just for the record, you marked in red pen
 8 on Deposition Exhibit 2 --
 9 A. Uh-huh.
 10 Q. -- a line representing the way -- the direction
 11 of the bus would go --
 12 A. Uh-huh, yes.
 13 Q. -- west on Cedar --
 14 A. Yes.
 15 Q. -- after school?
 16 A. Yes.
 17 Q. And then you marked with a little -- can you just
 18 put a little X there at the first stop?
 19 A. Yes, I can.
 20 Q. All right. So, the first bus stop after the bus
 21 would cross Fairhill on Cedar, was pretty much
 22 just past Fairhill; is that right?
 23 A. That's correct.
 24 Q. And then it would continue down Cedar and stop in
 25 front of where the Ohio Bell was?

1 A. The Ohio Bell Telephone Company is, yes, right
 2 there (indicating).
 3 Q. And that's near 108th?
 4 A. Yes.
 5 Q. You've marked those with the two Xs on that map?
 6 A. (Indicating).
 7 Q. Okay. Great. So, was that the bus that you took
 8 on May 19th of 1975 coming home from school?
 9 A. Yes.
 10 Q. Do you recall about what time you left school
 11 that day?
 12 A. I think we left school about 3:00, 3:30.
 13 Q. Do you know how long it took you to get home from
 14 school on the bus?
 15 A. Normally about 20 minutes or so. Something like
 16 that.
 17 Q. And when you were on the bus going home from
 18 school on May 19th of 1975, was there a time when
 19 you heard a shooting?
 20 A. Yes.
 21 Q. And were you on the school bus with -- who -- you
 22 were on the school bus at that time, right?
 23 A. Yes.
 24 Q. And where were you -- in terms of the map --
 25 where were you on the bus when you heard what

1 sounded like a shooting?
 2 A. All of this is like -- when you come up Cedar
 3 here it's like a, it's a hill. So, all of this
 4 is kind of like (indicating), you can't even see
 5 the store, but about right about here
 6 (indicating) we heard shots. After we turned
 7 coming up, we all heard two shots. And everybody
 8 looked to the left to see where it was coming
 9 from.
 10 So we continued to come on up the hill, and
 11 we stopped at the light because I remember it was
 12 a red light and we stopped. And everybody was
 13 anxious to get off the bus to see what was --
 14 where the shots came from. And we were all
 15 trying to get off the bus, but the bus driver
 16 wouldn't let us off, but anyway that's where we
 17 heard the gunshots, right there (indicating).
 18 Q. Okay. And so you marked on Deposition Exhibit 2
 19 in red pen near the D where it says Cedar
 20 Avenue --
 21 A. Uh-huh. Yes.
 22 Q. -- you marked with a little circle there --
 23 A. Yes.
 24 Q. -- where the bus was when you heard the shots?
 25 A. Yes.

1 Q. Okay. And could you see the store from there?
 2 A. No. Like I said, when it's coming up the hill,
 3 the store is like -- you really have to be
 4 further up in order to see all of this area right
 5 here (indicating). To see this area, you have to
 6 be like a little bit further up to see all of
 7 this. Down here (indicating) you can't see the
 8 store from that point.
 9 Q. Okay. And so when you're saying "down here",
 10 you're saying that when you're on Cedar Avenue if
 11 you're looking to the left -- or if you're
 12 traveling west on Cedar Avenue and you're looking
 13 left, there's a hill there, right?
 14 A. Yeah, Yes. Because you're coming up the hill,
 15 yes.
 16 Q. Okay. Now, do you recall if there were other
 17 kids on the bus with you at that time?
 18 A. Well, it's a bunch of us on there, yeah. The bus
 19 was always full, yes.
 20 Q. Do you recall any specific classmates or friends
 21 or kids that were on the bus with you?
 22 A. Just the normal ones that normally would catch
 23 the bus.
 24 Q. Do you recall any of their names or no?
 25 A. You know, a lot of names I remember, a lot of

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1 names I don't remember. And can I specifically
 2 say that they were on the bus, I can't. All I
 3 can say is that I was on the bus.
 4 Q. Okay. And where did you get off the bus after
 5 you heard the shots?
 6 A. I got off the bus here (indicating), the first
 7 bus stop.
 8 Q. Okay. Just past Fairhill?
 9 A. Yes.
 10 Q. Were there other kids that got off the bus with
 11 you?
 12 A. There was other kids that got off the bus, yes.
 13 Q. And what did you do when you got off the bus?
 14 A. Well, we ran across the street and we came up,
 15 came back up Fairhill. And after we ran across
 16 the street, and as we got a little bit closer and
 17 closer to the store, we could see someone laying
 18 on the ground.
 19 Q. And just for the record, you got off -- after you
 20 got off the bus at the first bus stop just past
 21 Fairhill, you crossed the street to the south
 22 side of Cedar; is that right?
 23 A. Yes.
 24 Q. Okay. And when you turned the corner, could you
 25 see anything then?

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1 A. No. There was no turn. We didn't have to turn
 2 the corner. It was like a --
 3 Q. Oh, okay. You just went across the street?
 4 A. Yeah, yeah. Because the crosswalk is there, so
 5 yeah.
 6 Q. Okay. And what did you see, if anything, at that
 7 time?
 8 A. We didn't see anything there. It's, like I said,
 9 as we got closer up to the store. Because a lot
 10 of times after school we'd either go to this
 11 store (indicating) or we'd go to the store on the
 12 corner of Frank and 108th. So, you know, you get
 13 snacks and different things, so, yeah.
 14 Q. Okay. Did you get closer to the store?
 15 A. Yes, we did.
 16 Q. And how close did you get to the store before you
 17 stopped?
 18 A. We actually didn't stop. We got to -- close
 19 enough to the bus stop to where we could see
 20 somebody laying on the ground.
 21 Q. Okay. And did you recognize that person?
 22 A. No.
 23 Q. Was there -- did you see anybody running away
 24 from the scene?
 25 A. No.

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1 Q. Now, backing up for just a moment. Before you
 2 got off the bus, but as the bus was going west on
 3 Cedar and crossing Fairhill, did you have an
 4 opportunity to turn and look in the direction of
 5 the store as the bus was crossing the Fairhill?
 6 A. Yes. Yes, we did. I did, yes.
 7 Q. Do you recall seeing anything at that time?
 8 A. No.
 9 Q. Okay. All right. You don't recall -- I'm sorry,
 10 that was a bad question.
 11 Did you see anything at that time?
 12 A. No.
 13 Q. Okay. When you got -- after you got off the bus
 14 and you were standing at or near the bus stop,
 15 you were saying you didn't see anybody run away
 16 from the scene; is that right?
 17 A. That's correct.
 18 Q. Did you see Ricky Jackson there?
 19 A. No.
 20 Q. Did you see Wiley Bridgeman?
 21 A. No.
 22 Q. Did you see Ronnie Bridgeman?
 23 A. No.
 24 Q. Did you see anybody driving away in a car?
 25 A. No.

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1 Q. Was there anybody else who had arrived at the
 2 scene at that point, like any onlookers or
 3 anything like that?
 4 A. No.
 5 Q. All right. So, after you were -- how long did
 6 you stand there near the bus stop?
 7 A. We didn't stand, we just kept walking towards the
 8 store.
 9 Q. Oh, okay. Okay. And then how close did you get
 10 to the store?
 11 A. We went all the way up to the store.
 12 Q. Okay.
 13 A. Uh-huh.
 14 Q. And do you recall who you were with at that time?
 15 A. Just the kids, you know.
 16 Q. And how close did you get to the store?
 17 A. We actually went right in front of the store.
 18 Q. Oh, right in front of the store. Okay.
 19 A. Uh-huh.
 20 Q. And then what did you see then?
 21 A. Well, we seen the white man laying on the ground.
 22 Q. Did he appear to have any injuries on him?
 23 A. Well, it looked like he had a hole in, right
 24 somewhere right in here (indicating) somewhere,
 25 and he was kind of gasping for air.

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1 Q. Okay. And for the record you were pointing to
 2 your chest?
 3 A. Yes.
 4 Q. Okay. And what did you do then?
 5 A. We just stood around. And, you know, by then the
 6 other kids were beginning to come up and the
 7 police came after that. It was like, I don't
 8 know, maybe three or four minutes after that the
 9 police started to come, so --
 10 Q. Okay. And do you recall how long you stayed
 11 there before the police come, came?
 12 A. I don't know.
 13 Q. And then what did you do after the police came?
 14 A. Well, they made us all kind of back up a little
 15 bit because, you know, they went into the store.
 16 We all just stood around, you know.
 17 Then other people started to come up from,
 18 from Petrarca and -- excuse me -- and Frank, and
 19 Frank Avenue.
 20 Q. Did you recognize anybody who started coming up
 21 from Petrarca and Frank?
 22 A. Just people from the neighborhood. People I
 23 lived around, yes.
 24 Q. And how long did you stay there before you went
 25 somewhere else?

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1 A. Stayed there long enough, I saw Ms. Robinson
 2 being put into the ambulance, and after that they
 3 put a sheet over the guy, I guess his name was
 4 Mr. Franks, put a sheet over him.
 5 And, I don't know, maybe a few more minutes
 6 and I begin to walk home. And at that time met
 7 up with Tommy Hall.
 8 Q. Okay. And which direction did you walk home?
 9 A. From here coming up -- coming down Petrarca,
 10 coming down, coming down this direction
 11 (indicating), and then from there to Frank
 12 Avenue.
 13 Q. Okay. And so, just for the record, you've
 14 indicated on Deposition Exhibit 2 with red pen
 15 that you walked -- you drew a line down south on
 16 Petrarca and then west on Frank; is that right?
 17 A. That's correct.
 18 Q. Okay. And that's the direction that you walked
 19 with Tommy Hall?
 20 A. Yes. Uh-huh. And we got about right here
 21 (indicating), which would have been -- which
 22 would have been where the church is, I'm going to
 23 say that. And here's where he told me, he told
 24 me that he knew who did it.
 25 Q. Okay. And just for the record, you've marked a

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1 little dot near the parking lot on Frank Avenue.
 2 That's where there's a church?
 3 A. Well, yeah, I guess it's a church -- it should be
 4 a building right in there. I don't know what's
 5 there now, but I know it was a church right about
 6 there (indicating).
 7 Q. Okay.
 8 A. Because when you got to the corner and 108th.
 9 Q. Okay. And what did Tommy Hall say to you in that
 10 conversation?
 11 A. He just told me that he knew who did it and he
 12 said that Ricky and Wiley and Buddy had did it.
 13 Q. Did he use the name Wiley or did he -- is that
 14 exactly what he said?
 15 A. Yeah. Bitsey.
 16 Q. Oh, he said Bitsey?
 17 A. Bitsey, yeah, uh-huh. Because see Ricky was
 18 Ricky, and Ronnie was Bitsey and Wiley was Wiley,
 19 uh-huh.
 20 Q. Did you ever know Wiley by a nickname?
 21 A. No. They were older than I am, so I didn't
 22 really -- they were like my, my sisters' and them
 23 age, my sister, older sister and them age.
 24 Q. Did you ever know Wiley as Buddy?
 25 A. Buddy, yeah.

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1 Q. Okay. Did you know Wiley and Ronnie's last name
 2 at the time?
 3 A. Yeah.
 4 Q. And what about Ricky, did you know him by his
 5 last name, too?
 6 A. Yes. Uh-huh.
 7 Q. And did you know them, you know, at all from the
 8 neighborhood?
 9 A. I grew up -- yeah, I grew up with them. I
 10 delivered papers to their house. I -- Ricky's
 11 younger brother, me and him, went to school
 12 together.
 13 Q. Did you ever hang out with Ricky's younger
 14 brother?
 15 A. Yeah. Yeah. We were all friends. I didn't hang
 16 out with Ricky and Wiley or Buddy because they
 17 were older than -- older than we are, you know,
 18 but I hung out with him, uh-huh.
 19 Q. While you were standing at the store, and before
 20 you started walking home with Tommy Hall, did you
 21 see anybody in the crowd that you knew?
 22 A. Did I see anybody? The whole neighborhood was
 23 there, everybody. Yeah --
 24 Q. Okay.
 25 A. -- yes. Yes.

<p style="text-align: right;">Page 41</p> <p>1 Q. All right. Going back to the conversation with 2 Tommy Hall -- 3 A. Uh-huh. 4 Q. -- what did you say to Tommy when he said he knew 5 who did it? 6 A. No, I didn't say anything. I don't recall asking 7 him how -- did I say anything to him or did I -- 8 no. 9 Q. Okay. Where did you go after that? 10 A. Home. 11 Q. Did Tommy live near you, by the way? 12 A. Tommy stayed on Arthur, yeah -- well, he stayed 13 -- if you -- this is 108th (indicating), if you 14 come -- if you come down 108th, after you cross 15 over, off of Frank, Arthur would be the next 16 street over. And he stayed right there off of a 17 hundred and -- at that time it was called 107th 18 and Arthur. 19 - - - - 20 (Thereupon, Plaintiff's Exhibit 4 was marked 21 for purposes of identification.) 22 - - - - 23 Q. I'm going to hand you what's been marked as 24 Deposition Exhibit 4. That's a map with several 25 pages that's got a wider view, a wider aerial</p>	<p style="text-align: right;">Page 43</p> <p>1 Q. Okay. 2 A. There wasn't anybody at home. 3 Q. All right. 4 A. Matter of fact, my mother was the only person 5 that was at home, but she was -- she wasn't going 6 up there. She kind of heard what went on. 7 Q. When you walked back up to the store, were you by 8 yourself or did anybody go with you? 9 A. I was by myself. 10 Q. And where did you go when you went back up to the 11 store? Did you stand right outside the store 12 or -- 13 A. Well, I went back up to the store and I was 14 standing there and a police officer was asking, 15 did anyone see anything or anyone know anything 16 about what happened up here, and I told him I 17 did. 18 Q. Do you remember the name of that police officer? 19 A. No. No. 20 Q. Was he -- what race was he or did he appear to 21 be? 22 A. Caucasian. 23 Q. Was he in uniform or plain clothes? 24 A. Uniform. 25 Q. And what exactly did you tell that officer?</p>
<p style="text-align: right;">Page 42</p> <p>1 view of the area around where your house was and 2 the store. If you can just take a look at that 3 first page and let me know if you see Arthur 4 Avenue on it. 5 A. Yes. 6 Q. And you said Arthur -- or Tommy Hall lived at 7 about 107th and Arthur? 8 A. Right. This is 108th right here (indicating), 9 and this is where I lived between Frank Avenue. 10 If you continue down, you run right into Arthur 11 Avenue, which was right there (indicating). He 12 stayed on Arthur right about -- I don't know -- 13 when you come out of 108th, it runs right into 14 Arthur, and you would run right into, almost 15 right into their house. 16 Q. The -- all right. So, then you went home, right? 17 After your conversation with Tommy? 18 A. Yes. 19 Q. What did you do then? 20 A. I put my books down and I went back up to -- I 21 went back up to the store and that's what I did. 22 Q. When you stopped at home, did you tell any of 23 your family members what you had seen after you 24 got off the bus? 25 A. Everybody was up there.</p>	<p style="text-align: right;">Page 44</p> <p>1 A. I just told him that I knew who did it. And so 2 they took down my name, telephone number, and 3 address. And he said that somebody will get back 4 with me and talk with me about it. 5 Q. Okay. Did you talk to any other police officers 6 at the scene? 7 A. I can't remember, but I don't think I did. 8 Q. After that -- well, how long did you stay there? 9 A. Well, by that time, you know, it was -- it was 10 getting kind of late, so after I had told him 11 that, I went on back home, so -- 12 Q. Why did you tell the police officer that you knew 13 who did it? 14 A. Because I thought I was doing the right thing by 15 coming forth and telling what I knew. I just 16 believed in telling the truth and I just believed 17 that I was doing the right thing by helping. 18 Q. You hadn't actually seen what had happened; is 19 that right? 20 A. No. 21 Q. But you were communicating information that you 22 got from Tommy Hall? 23 A. Right, that's correct. 24 Q. And when was the next time -- well, strike that. 25 Did you speak to any other police officers</p>

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1 that day?

2 A. Like I said, I just explained to you, I can't

3 recall if I did or if I didn't.

4 Q. Okay.

5 A. I'm not sure.

6 Q. Then when is the next time you -- well, strike

7 that.

8 Do you recall at some point viewing a lineup

9 at the police station?

10 A. Yes, I do.

11 Q. Was the lineup on May 25th, 1975?

12 A. May 25th, 1975.

13 Q. And so in between the day of the shooting, which

14 was on May 19th and the day of the lineup of May

15 25th --

16 A. Yes.

17 Q. -- did you speak with any Cleveland Police

18 detectives?

19 A. Yes. Detective Terpay and Detective Farmer.

20 Q. When is the first time you recall speaking with

21 Detective Terpay after the shooting?

22 A. I believe it was -- I believe it was the next,

23 the next day. I believe it was the next day.

24 Q. And could you describe how that conversation came

25 about?

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1 A. Well, he came and he introduced to us, to me and

2 my mother and father wasn't there, but he

3 introduced himself. And he said that he wanted

4 to take me down to the police station and for me

5 to give a statement about what happened. And to

6 see if I could recognize anybody that -- maybe

7 photographs that they might have to recognize

8 some people.

9 But on that particular day, the city wanted

10 to take me down there and talk with me and to get

11 a statement from me.

12 Q. Okay. Was Detective Terpay with Detective Farmer

13 at that time?

14 A. Yes, yes.

15 Q. Were there any other detectives with them?

16 A. Not that I recall.

17 Q. And do you remember whether -- what time of day

18 it was that he came -- they came to speak with

19 you?

20 A. After school.

21 Q. Was it at night?

22 A. After school.

23 Q. Was it like soon after school or at nighttime?

24 A. I want to say about 5:00 or so, something like

25 that. 5:00 or 6:00.

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1 Q. And did your mother say anything to either of the

2 detectives when they came to your house and said

3 they wanted to take you to the station?

4 A. Yes, she did. She wanted to go with me. And

5 they told her, no, he'll be all right, he'll be

6 all right. We know that it's a school night and

7 we'll have him back home before it's too late,

8 before it gets too late.

9 Q. Then did you go with the detectives to the police

10 station?

11 A. Yes, I did.

12 Q. When you got to the police station, what happened

13 next?

14 A. Well, they asked me the names of the people who

15 did it, and I gave them the names of the people

16 who did it. And they asked me about how tall

17 they were and how -- you know, what they looked

18 like and all of that, all those things.

19 Q. Do you remember any other specific questions that

20 Terpay or Farmer asked you at that time?

21 A. I don't think they got into any of the real

22 questions about everything like what I saw and

23 everything like that.

24 Q. You don't think they did?

25 A. I don't think they did. They might have, but I

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1 don't know, I'm not quite sure.

2 Q. Where were you at the police station when they

3 were asking you these questions? Was it in a

4 room or an open area? Can you describe it?

5 A. No, it was an open area because it was other

6 police detectives around and stuff, so, yeah, it

7 was an open area.

8 Q. Okay. When -- what did you -- during that

9 conversation with Detective Terpay and Farmer,

10 what did you say to them about what you knew?

11 A. I told them who the names were and --

12 Q. And what names did you give them?

13 A. I gave them Ricky and I gave them Wiley and I

14 gave them Buddy.

15 Q. Did you say -- well, strike that.

16 What happened --

17 A. He --

18 Q. I'm sorry, go ahead.

19 A. No, I was saying I gave them Ricky, Wiley and

20 Bitsey.

21 Q. Ricky, Wiley and Bitsey?

22 A. Yeah. You have to remember, I've got to call

23 them by the names that they were called --

24 Q. Okay.

25 A. -- then, yes.

<p style="text-align: right;">Page 49</p> <p>1 Q. Okay. So, just to be clear, did you give the 2 name Wiley or did you call them by nickname, 3 Buddy? 4 A. No, I called -- Wiley is Buddy, yeah, right. 5 Q. Okay. And Ronnie was Bitsey? 6 A. Uh-huh. 7 Q. Okay. 8 A. Uh-huh. 9 THE COURT REPORTER: "Yes"? 10 THE WITNESS: Yes. 11 Q. All right. After that conversation, what 12 happened next at the police station? 13 A. They -- well, they took me back home. 14 Q. Did you see -- did they show you -- did Detective 15 Farmer or Terpay show you any photos at that 16 time? 17 A. I think the photos came the next day, the next 18 day -- they came and got me the next day and they 19 began to show me photographs. 20 Q. Do you recall -- during the time that you were 21 having this conversation with Detective Terpay 22 and Farmer, were they taking notes? 23 A. Yes, they were. 24 Q. Could you see whether they were writing on a 25 legal pad or what kind of paper they were writing</p>	<p style="text-align: right;">Page 51</p> <p>1 I said Buddy and them has a light green and dark 2 green car with a convertible. 3 He said how do you know that? I said because 4 I deliver papers, you know, I deliver papers 5 there. I'd see them drive around in the car, but 6 I deliver papers there at the house. 7 Q. I'm sorry, I didn't catch the last part. So, you 8 told Detective Terpay that Wiley -- that you knew 9 what Wiley's car looked like? 10 A. Buddy. 11 Q. Oh, Buddy. I'm sorry. I'll use their names that 12 they were called at the time. 13 A. Uh-huh. 14 Q. Did you tell Detective Terpay that you knew what 15 Buddy's car looked like? 16 A. I told them that it was a car that was in their 17 driveway that I guess that's the car they were 18 talking about. 19 Q. Do you remember what -- did you tell Detective 20 Terpay at that time what color car Buddy had? 21 A. No, they told me. 22 Q. Okay. And what did Detective Terpay tell you? 23 A. They told me it's like, well, don't he -- don't 24 he drive a light green or dark green car? I was 25 like, yes, I said I see a light green and dark</p>
<p style="text-align: right;">Page 50</p> <p>1 on? 2 A. All I can say is they were writing on paper. And 3 I can remember them giving me like, like 4 information. 5 Q. What information were you given by Terpay and 6 Farmer? 7 A. Well, it wasn't so much Farmer, it was mostly 8 Detective Terpay. And he was like, he said, 9 well, you know, a guy got hit over the head, 10 there was a stick involved, wasn't there? The 11 guy got hit over the head with a stick, didn't 12 he? 13 You know, and then he told me about -- kind 14 of put it in -- he goes, they threw something in 15 his face, in his face, it was in a cup or 16 something, wasn't it? 17 And he said he was, he was shot, right? Yes. 18 I guess. Yeah, I saw he was shot, yeah. 19 He was shot with a big gun. Probably a .38 20 or something like that, huh? I was like, I guess 21 so, yeah. 22 So -- you know -- so, they was like -- they 23 said it was a car involved, it was like a light 24 green or dark green car. Do one of them own a 25 light green or dark green car? I was like, yeah.</p>	<p style="text-align: right;">Page 52</p> <p>1 green car in the driveway when I, you know, 2 deliver the papers in the morning. 3 Q. So, did you just -- I just want to clarify. Had 4 you actually seen a light green or dark green car 5 in Buddy's driveway or you were just agreeing 6 with the officers? 7 A. Well, no, I know that they had a light green and 8 dark green car, yes, I did. 9 Q. And Detective Terpay also told you that the 10 money-order salesman had had something thrown in 11 his face? 12 MR. FUNK: Objection. 13 A. Yes. 14 Q. Is that what you said? 15 A. Yes. 16 Q. And what else did Detective Terpay tell you about 17 that? 18 A. What else did he tell me? 19 Q. Yes, did he say anything else about that in 20 particular? 21 A. That day and that night -- pretty much told me 22 that he had a briefcase. It was like a 23 briefcase. I said, yeah, that's what the 24 money-order man carried, he carried a briefcase. 25 He's like, oh, okay. We had a briefcase, so --</p>

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1 Q. Okay. Is there any other information that you
 2 remember Detective Terpay telling you about the
 3 crime or the money-order salesman?
 4 A. Not that I can remember.
 5 Q. All right. And during this conversation where
 6 Detective Terpay was telling you information
 7 about the crime, was Detective Farmer present,
 8 too?
 9 A. Yes, he was.
 10 Q. Did he say anything, that you recall?
 11 A. Detective Farmer was -- he was really quiet. He
 12 really didn't say a whole lot, no.
 13 Q. Where there any other detectives present besides
 14 Terpay and Farmer?
 15 A. When they were talking -- when he was talking --
 16 Q. During this conversation?
 17 A. I don't know. You know, it's pretty much us.
 18 Q. Do you remember what Detective Farmer looked
 19 like?
 20 A. I know he was white. And I could recall him
 21 having two marks on his head. And the reason why
 22 he had -- he had two marks here (indicating), in
 23 his temple area. And he had told me that he had
 24 been -- he had been shot like six times or
 25 something during a robbery or something, or

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1 something happened where he had got shot and it
 2 was -- that was one of -- that was one of the
 3 injuries, but you could really see like the
 4 little round dents in his head right there
 5 (indicating). And he was kind of a stocky
 6 detective. He was kind of well-built. You know,
 7 he wasn't, you know, huge and fat and out of
 8 shape, you know. And for the most part, he was
 9 -- he was really -- he was really nice. You
 10 know, he was down low key, he wasn't a very hyper
 11 guy. No. No. He was -- I really liked him.
 12 Q. During the conversations that you were having
 13 with Detective Terpay and Farmer, did Detective
 14 Farmer ever tell Terpay to stop giving you
 15 information?
 16 MR. FUNK: Objection.
 17 A. No.
 18 THE VIDEOGRAPHER: End of tape
 19 one. Off the record at 10:30.
 20 - - - -
 21 (Thereupon, a recess was had.)
 22 - - - -
 23 THE VIDEOGRAPHER: Okay. This is
 24 tape two. We're back on the record at
 25 10:43.

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1 BY MS. WANG:
 2 Q. All right. Mr. Vernon, we were talking about
 3 this conversation that you had with Detective
 4 Terpay and Farmer the day after the shooting at
 5 the police station.
 6 A. Uh-huh. Yes.
 7 Q. Is there anything else that you remember either
 8 Detective Terpay or Farmer saying to you during
 9 that conversation?
 10 A. No.
 11 Q. Is there anything else you recall saying to them?
 12 A. No, not that I can recall.
 13 Q. And then what happened after your conversation
 14 was over?
 15 A. Like I said, we -- are you talking about the
 16 first day or the second day?
 17 Q. Yeah, did they take you home?
 18 A. Yeah, they took me home, yes, they did.
 19 Q. And do you recall how -- what time was it when
 20 you got home that day?
 21 A. It was kind of late. My mother was a little
 22 upset because it was like about 10:30 almost
 23 11:00 o'clock.
 24 Q. And so you had spent -- what time had they picked
 25 you up from your house?

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1 A. About, like I said, about 5:30, 6:00 o'clock.
 2 Q. The next day, two days after the shooting, that
 3 would have been May 21st of 1975. Do you recall
 4 talking to any Cleveland Police detectives on
 5 that day?
 6 A. Yes.
 7 Q. Who do you recall speaking with?
 8 A. Detective Terpay and Detective Farmer.
 9 Q. And how did that come about?
 10 A. They wanted to know if I knew where they lived,
 11 where everybody lived.
 12 Q. Where --
 13 A. Where Ricky and where Buddy and where Bitsey
 14 lived.
 15 Q. Okay. And what time was it when they came, when
 16 Detective Terpay and Farmer came to speak with
 17 you?
 18 A. It was after school. It was after school.
 19 Q. And did they come to your house?
 20 A. Yes.
 21 Q. And what -- was your mother home?
 22 A. Yes.
 23 Q. Did they have any conversation with your mother
 24 at that time?
 25 A. They had very little conversation with my mother.

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1 And I'm just going to speculate, but I believe
 2 that's really what made my mother upset is that
 3 they really didn't include her in a lot of
 4 things.
 5 Q. And then what did you -- where did you go --
 6 sorry. Did Detective Terpay and Farmer take you
 7 from your house then?
 8 A. Yeah. Yes. Yes, they did.
 9 Q. Where did you go?
 10 A. I went back down to the police station. We
 11 looked at some more pictures again, and after
 12 that we came back home.
 13 Q. How long were you at the police station?
 14 A. This time I got home about 9:00.
 15 Q. P.m.?
 16 A. Yeah, uh-huh.
 17 Q. What did you do at the police station?
 18 A. I looked at some pictures. They fed me and, you
 19 know, they talked with me a little bit more about
 20 what went on at, at the store.
 21 Q. Okay. And what do you recall Detective -- sorry.
 22 So, while you were at the police station looking
 23 at photos, was it just yourself and Terpay and
 24 Farmer?
 25 A. Pretty much. And, you know, they had the other

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1 detectives that were around and stuff, but pretty
 2 much us.
 3 Q. Okay. There were no other detectives that you
 4 recall being part of the conversation you were
 5 having with Terpay and Farmer; is that right?
 6 A. Not that I can recall.
 7 Q. Okay.
 8 A. It could have been, but not that I can recall.
 9 Q. Okay. And then what do you recall -- what's the
 10 first thing that you recall doing at the police
 11 station once you got there?
 12 A. Just sitting down, sitting down and looking at
 13 the pictures.
 14 Q. What did Detective -- who showed you the
 15 pictures?
 16 A. Well, Detective Farmer brought the pictures out.
 17 Q. Okay. And what -- do you remember what format
 18 the pictures were in?
 19 A. They were basically like -- I don't know. They
 20 were the long ways like this (indicating). So it
 21 had like one, two, three, four, five, six, seven
 22 -- about nine people on one page, you know, on
 23 one sheet, so or something like that. Six to
 24 nine people on one sheet.
 25 Q. Okay. And was it in a binder or were they

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1 looseleaf?
 2 A. I feel like a binder like. I mean, it's like a
 3 -- I'm not going to speculate. I believe it was
 4 like a binder or sheets. I'm not -- I'm not
 5 going to -- I can't recall.
 6 Q. If you're not sure, that's okay.
 7 A. Yeah.
 8 Q. All right. And then what did Detective Farmer
 9 say to you when he brought out the pictures?
 10 A. He said just take your time, look through them.
 11 We have more, and they had more. They had more.
 12 They had a lot. I think that, you know, it took
 13 up a lot of time to look through there. And I
 14 didn't see anybody, I didn't see them, I didn't
 15 recognize them.
 16 Q. Okay. And so when you say you didn't see them,
 17 what do you mean by that?
 18 A. I didn't recognize any of the -- any of -- I
 19 didn't recognize Ricky, Buddy or Bitsey in any of
 20 the pictures that I was shown. And I think it
 21 was shown -- the pictures were shown according to
 22 the height and the weights, so it was -- and it
 23 was quite a few.
 24 Q. And what do you mean the pictures were shown
 25 according to heights and weights?

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1 A. That's the way they -- that's the way it was
 2 given to me. He said these are the people that
 3 are, at that time, five-five, five-six, that
 4 according to the weight 130, 140 pounds. And
 5 that's just the way they gave them to me.
 6 Q. Did either Detective Terpay or Farmer tell you
 7 what the heights and weights of the suspects
 8 were?
 9 MR. FUNK: Objection.
 10 A. No, they didn't. They just asked me how tall did
 11 I think they were. And that was in the
 12 initial -- in the beginning. You know, they
 13 already had asked me about how tall they were.
 14 Were they taller than you? Were they this tall?
 15 This tall? I was like yes, yeah.
 16 Q. So, just to be clear, on this day where you were
 17 shown the photos, was it Detective Terpay or
 18 Farmer -- well, strike that.
 19 What do you recall Detective Farmer saying to
 20 you?
 21 A. Nothing too much. He just brought the pictures
 22 out. He said take you time and look at them.
 23 Q. What about Detective Terpay, do you remember him
 24 saying anything to you when the pictures were
 25 brought out?

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1 A. Nothing. He -- like I said, they gave me the
 2 pictures and I just sat there and I looked, you
 3 know, and he would come and, you know, tap me on
 4 the back, rub me on the shoulder, say relax, just
 5 keep looking at the pictures.
 6 Q. And do you recall any other conversations that
 7 you had with the detective during this time when
 8 you were looking at the photos? How about after
 9 you were done looking at the photos, do you
 10 recall any conversations with the detective then?
 11 A. No.
 12 THE COURT REPORTER: No?
 13 THE WITNESS: No.
 14 Q. I'm sorry, I'm going to -- it looks like the sun
 15 is in your face.
 16 A. That's okay.
 17 MR. FUNK: The question before
 18 that did he say "no" to that one, too?
 19 THE COURT REPORTER: He didn't say
 20 anything.
 21 Q. All right. Now, earlier you were saying that
 22 Detective Terpay had asked you how tall the
 23 suspects were?
 24 A. Yeah. They asked me about how -- the height and
 25 everything, and how tall they were.

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1 Q. Was that the day before or was that during the
 2 time that you were looking at photos?
 3 A. That was before I even got to the photos, yeah.
 4 It was before.
 5 Q. All right. And what did you say to them at that
 6 time?
 7 A. I just gave them an estimated height and weight.
 8 Q. Okay. What did you do after you looked at the
 9 photos?
 10 A. On that particular day?
 11 Q. Yes. On that day.
 12 A. Went back home.
 13 Q. Did one of the detectives drive you home?
 14 A. Yes, they did.
 15 Q. Do you recall if they were both in the car?
 16 A. They were both with me, yes.
 17 Q. And at some point, did you -- did you go in a car
 18 ride with Terpay and Farmer to look at -- to look
 19 at the houses of the suspects?
 20 A. Yes, I did.
 21 Q. Okay. Was that on the same day as the photos or
 22 a different day?
 23 A. That's a different day.
 24 Q. Okay. So, after the day involving where you
 25 looked at the photos -- by the way, do you recall

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1 during the conversation you had at the police
 2 station with Terpay and Farmer where you were
 3 looking at the photos, do you recall either of
 4 the detectives taking notes?
 5 A. Yeah. They wrote everything down.
 6 Q. And the day -- so after the -- after the --
 7 strike that.
 8 After the day where you reviewed the photos,
 9 did you speak with either Terpay or Farmer the
 10 next day?
 11 A. Yes, I -- yes.
 12 Q. And what occurred -- what do you recall occurring
 13 on that day?
 14 A. It was -- I believe that day was a short day
 15 because they was saying that they were going to
 16 -- go back down here and they had to do some,
 17 whatever they do. And that they would see me the
 18 next day to see if I could point out where they
 19 live.
 20 Q. And where were you when the detectives first came
 21 to speak with you?
 22 A. Where was I?
 23 Q. Did they come to your house again?
 24 A. Yes.
 25 Q. Did they ever pick you up from school, by the

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1 way?
 2 A. I think -- I believe one time. I believe one
 3 time they picked me up from school. I think, I
 4 want to say I think. I'm not exactly sure.
 5 Q. Okay. So, on the occasion where you went with
 6 the car ride -- went on a car ride with Terpay
 7 and Farmer, you were saying they came to your
 8 house?
 9 A. They came and picked me up that day from my
 10 house, yes.
 11 Q. Was that after school again?
 12 A. Uh-huh. Actually, I want to -- I don't know if
 13 that day was after school or not. And the reason
 14 why I say that is because it was -- it might have
 15 been or it might have not been, but I think it
 16 was early. It was like, like in the morning
 17 time.
 18 Q. Do you remember if it might have been at night?
 19 A. It might have been in the evening because -- no,
 20 it was in the evening. Because you know why?
 21 Because all the kids were out playing.
 22 Q. In the evening?
 23 A. Yeah. Everybody was out, they was playing.
 24 Q. So, what do you recall about what Detective
 25 Terpay and Farmer said to you when they came to

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1 pick you up from your house before the car ride?
 2 A. They said they were going to take a ride and you
 3 show me where they live.
 4 Q. Okay. And then where did you go next?
 5 A. Say -- well, we went down -- he picked me up and
 6 then we went down 108th to Cedar. Went down
 7 Cedar to 105. Came back up 105 and came up
 8 Arthur.
 9 Q. Okay. And who was in the car?
 10 A. Those two, Detective Terpay and Farmer.
 11 Q. Do you recall if there was a third officer or
 12 detective in the car?
 13 MR. FUNK: Objection.
 14 A. There might have been. There might have been.
 15 Q. Do you recall anything about that officer?
 16 A. Vaguely. Vaguely.
 17 Q. You're not sure if there was one?
 18 A. I'm not sure, but I believe there was.
 19 Q. Okay. Do you recall anything about what that
 20 officer looked like?
 21 A. No.
 22 MR. FUNK: Objection.
 23 Q. Do you recall if he -- whether he was in plain
 24 clothes or in uniform?
 25 A. Plain clothes like a detective.

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1 Q. And were Detective -- what did Detectives Farmer
 2 and Terpay usually wear?
 3 A. Just like the normal detective clothes, suit and
 4 tie, or a shirt and tie.
 5 Q. When you drove down Arthur with Detective Terpay
 6 and Farmer, what conversation did you have with
 7 them at that time?
 8 A. They told me -- they asked me would I point out
 9 the houses and where they lived.
 10 Q. When you say "they", do you remember whether it
 11 was Terpay or Farmer who said that?
 12 A. Detective Terpay.
 13 Q. Okay. And who is he referring to when he was
 14 asking you to point out houses?
 15 A. He asked me to point out where Ricky lived, where
 16 Bitsey lived and where Buddy lived.
 17 Q. And then what did you say in response?
 18 A. I said okay.
 19 Q. And then did you point out their -- what did you
 20 do next?
 21 A. Well, we drove down Arthur slow and they told me
 22 to kind of duck down in the car a little so --
 23 because everybody was outside. And as we came up
 24 Arthur, on the right-hand end of Arthur, I want
 25 to say about a quarter of the ways up Arthur --

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1 in the back where Ricky stayed, I pointed out
 2 that house. And we drove up a little bit more,
 3 maybe about -- one, two, three -- one, two,
 4 three, four -- one, two, three, four -- five
 5 houses up, and on the left-hand -- on the
 6 left-hand side is where Wiley -- or I mean Bitsey
 7 and Buddy stayed and I pointed that -- the house
 8 out.
 9 Q. And then do you remember what other conversation
 10 you had with them at that time?
 11 A. No.
 12 Q. Where did you go after that?
 13 A. Home.
 14 Q. Did you go to the police station on that day at
 15 all?
 16 A. I mean, they took a little -- they wrote down
 17 everything that I said, you know, and pointed out
 18 the houses and everything, and then they took me
 19 back home. So it was like a short day. It was a
 20 short day.
 21 Q. Okay. And did both detectives write down notes
 22 about what you said?
 23 MR. FUNK: Objection.
 24 A. I can't recall. I know that Detective Farmer --
 25 I mean Detective Terpay was the one that did most

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1 of the writing, I mean everything.
 2 Q. So, just to be clear, on this car ride that you
 3 had with the detectives, did you see any of the
 4 detectives -- either of the detectives write
 5 anything down?
 6 A. I was in the back seat, so I couldn't tell if
 7 they were writing something down in the front or
 8 not.
 9 Q. At some other occasion after your car ride, did
 10 you see either of the detectives write anything
 11 down?
 12 A. At the police station.
 13 Q. Okay. When -- the day after the car ride, do you
 14 recall talking to any detectives on that day?
 15 A. The day after the car ride?
 16 Q. Yes.
 17 A. The day after the car ride, some detectives came
 18 and got me and -- yeah.
 19 Q. Okay. Well, I guess let me try and clarify. The
 20 -- at some point there was a lineup on the 25th,
 21 right?
 22 A. Yes.
 23 Q. Was there any interaction or conversation that
 24 you had with Detective -- any detective between
 25 the car ride and the lineup?

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1 A. The car ride -- the next day is when they came --
 2 Q. Okay.
 3 A. -- the next day.
 4 Q. Okay. And who came to get you?
 5 A. I could recall the detectives, that's -- now, was
 6 it -- I can't remember the names and all that.
 7 Q. Were they -- it wasn't Detective Terpay or
 8 Farmer?
 9 A. No.
 10 Q. Where did these -- how many detectives were
 11 there?
 12 A. Two.
 13 Q. And what race were they?
 14 A. Caucasian.
 15 Q. And they were men?
 16 A. Yes.
 17 Q. And where did they come to talk to you?
 18 A. They came to pick me up from my house.
 19 Q. Oh, picked you up?
 20 A. Yes.
 21 Q. Okay. And did they speak to you while you were
 22 at your house?
 23 A. They spoke to me and they spoke to my mother and
 24 told her that they were about to take me down and
 25 for me to view a lineup to pick -- pick the men

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1 out of the lineup.
 2 Q. Okay. So, this was on the day of the lineup?
 3 A. Yes.
 4 Q. Okay. So, then what did your mother say to the
 5 detectives while they were talking to her at her
 6 house?
 7 A. She wanted to --
 8 MR. FUNK: Objection. Go ahead.
 9 A. She wanted to come down --
 10 Q. Okay.
 11 A. -- and they just -- they told her, no, he'll be
 12 all right. We'll bring him back after the
 13 lineup.
 14 Q. And -- well, were you present when your mother
 15 told the detectives that she wanted to come down
 16 for the lineup?
 17 A. Yes. Yes.
 18 Q. So you heard her say to the detectives that she
 19 wanted to go?
 20 A. Yes.
 21 Q. Do you remember what either of the detectives
 22 looked like?
 23 A. I want to say yes and I want to say no. It
 24 depends on how -- how I can recall. I can
 25 re-look. I don't know, I would have to -- I

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1 don't know, it would -- it's been a while, so --
 2 Q. Okay. So, these two detectives took you to the
 3 police station to view the lineup?
 4 A. Yes.
 5 Q. All right. And then do you recall any
 6 conversation with them in the car ride on the way
 7 to the station?
 8 A. No.
 9 Q. When you got to the station, what did you do --
 10 what did you do next?
 11 A. Sat down for a minute and they explained to me
 12 what was about to happen. And they said all you
 13 have to do is pick these guys out of the lineup
 14 and we'll take you back home.
 15 Q. Okay. And who was present during this
 16 conversation when the detective told you that all
 17 you had to do was pick these guys out of the
 18 lineup?
 19 A. Them, the detectives.
 20 Q. The two of them?
 21 A. Yes.
 22 Q. Was there anybody else present?
 23 A. If there was, I can't remember.
 24 Q. And what did you say in response to that?
 25 A. I just said okay.

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1 THE COURT REPORTER: I'm sorry?
 2 THE WITNESS: I just said okay.
 3 Q. And where did you go next?
 4 A. I went to the lineup room and I viewed the
 5 lineup.
 6 Q. Okay. What do you recall being the layout of the
 7 lineup room?
 8 A. Just some men that were in the room and they told
 9 me that they couldn't see me behind this glass,
 10 but I could see them.
 11 Q. Okay. And were the two detectives who came to
 12 pick you up from your house, were they present in
 13 the room with you for the lineup?
 14 A. I believe so, yes. I believe so.
 15 Q. Were there other police officers in the room
 16 during the lineup?
 17 A. There probably was, but I can't remember that.
 18 Q. Do you recall seeing Terpay or Farmer there?
 19 A. No, they weren't.
 20 Q. So, were you in the room first before the men
 21 came into their side of the room?
 22 A. I was in the room first.
 23 Q. Do you recall seeing anybody else you knew from
 24 the neighborhood there?
 25 A. Not that I know of. There could have been, but

<p style="text-align: right;">Page 73</p> <p>1 --</p> <p>2 Q. Okay. So what happened during the lineup?</p> <p>3 A. Well, they brought them out and they asked me did</p> <p>4 I know -- did I see anybody that I recognize up</p> <p>5 there and I said no.</p> <p>6 Q. Who asked you did you recognize anybody up there?</p> <p>7 A. Whoever was asking, the lineup people, that's all</p> <p>8 I can tell you. I don't know, I'm not specific</p> <p>9 with names of people or know who they were.</p> <p>10 Q. Okay. Was it one of the two detectives who came</p> <p>11 to get you from your house?</p> <p>12 A. No.</p> <p>13 Q. It was a different officer?</p> <p>14 A. It was -- all I can say is it was whoever the</p> <p>15 person was that was doing the lineup, that's all</p> <p>16 I can say.</p> <p>17 Q. Okay. The -- so, after you said you -- well,</p> <p>18 what did you say exactly when they asked you if</p> <p>19 you recognize anybody -- well, sorry --</p> <p>20 MR. FUNK: Objection.</p> <p>21 Q. -- let me clarify. What did they ask -- what did</p> <p>22 the officer ask -- what did any officer ask you</p> <p>23 during the lineup?</p> <p>24 MR. FUNK: Objection. It's been</p> <p>25 asked and answered.</p>	<p style="text-align: right;">Page 75</p> <p>1 Q. Sure. Would it refresh your recollection to look</p> <p>2 at your trial testimony from Ronnie Bridgeman's</p> <p>3 trial as to the names of the detective?</p> <p>4 A. Uh-huh.</p> <p>5 MR. FUNK: Objection.</p> <p>6 Q. Is that a "yes"?</p> <p>7 A. Yes.</p> <p>8 Q. I'm showing you page 131 --</p> <p>9 A. Uh-huh.</p> <p>10 Q. -- form the trial of Ronnie Bridgeman -- and I</p> <p>11 can give you a couple of the other pages for</p> <p>12 context if you'd like.</p> <p>13 A. Okay.</p> <p>14 Q. And for the record, this is your testimony during</p> <p>15 Ronnie Bridgeman's trial.</p> <p>16 MR. FUNK: I'm going to --</p> <p>17 A. Okay.</p> <p>18 MS. WANG: What's your -- I do</p> <p>19 want to know what your objection is.</p> <p>20 What's your objection?</p> <p>21 MR. FUNK: Yeah, I don't want to</p> <p>22 state it in front of the witness, so can we</p> <p>23 go off the record for a second.</p> <p>24 MS. WANG: Do you want -- you</p> <p>25 don't want him in the room while we discuss</p>
<p style="text-align: right;">Page 74</p> <p>1 A. They asked me did I see anybody in there that I</p> <p>2 recognize and I said no.</p> <p>3 Q. Okay.</p> <p>4 A. Do you recognize this person? Do you recognize</p> <p>5 -- no, I don't.</p> <p>6 Q. Okay. Do you recall any officer saying anything</p> <p>7 else to you at that time?</p> <p>8 A. No.</p> <p>9 Q. Where did you go after that?</p> <p>10 A. To a room.</p> <p>11 Q. Who took you to that room?</p> <p>12 A. The detective.</p> <p>13 Q. The two who picked you up from your home?</p> <p>14 A. Yes, if I'm not recalling -- if I recall right.</p> <p>15 Q. I think you had said earlier you don't recall the</p> <p>16 names of those two officers; is that right?</p> <p>17 A. No. Because the reason why I say that is because</p> <p>18 I had never been around them before. So, the</p> <p>19 only two officers -- detectives that I've always</p> <p>20 been around was Detective Terpay and Detective</p> <p>21 Farmer.</p> <p>22 Those -- you know, for somebody to introduce</p> <p>23 themselves, you know, the first time, I'm -- no,</p> <p>24 I don't -- you know, no. It's not something that</p> <p>25 just like kind of stuck with me for 40 years, no.</p>	<p style="text-align: right;">Page 76</p> <p>1 your objection --</p> <p>2 MR. FUNK: Right --</p> <p>3 MS. WANG: -- or --</p> <p>4 MR. FUNK: -- yeah.</p> <p>5 MS. WANG: Do you mind just</p> <p>6 stepping out for a minute, I need to know</p> <p>7 how to fix this.</p> <p>8 THE VIDEOGRAPHER: Stay on?</p> <p>9 MS. WANG: We're going to stay on</p> <p>10 the record, but --</p> <p>11 MR. FUNK: Yeah.</p> <p>12 MS. WANG: -- you're just going to</p> <p>13 leave the room for a second, if you don't</p> <p>14 mind --</p> <p>15</p> <p>16 MR. FUNK: If you're focusing on</p> <p>17 question 131 --</p> <p>18 MS. WANG: Uh-huh.</p> <p>19 MR. FUNK: -- I'm sorry, on page</p> <p>20 131 Detective Staimpel, yes. The reference</p> <p>21 to Detective Cummings -- I'm sorry, I took</p> <p>22 off my mike --</p> <p>23 THE VIDEOGRAPHER: That's okay.</p> <p>24 MR. FUNK: The reference that</p> <p>25 Michael Cummings was completely out of</p>

<p style="text-align: right;">Page 77</p> <p>1 context --</p> <p>2 MS. WANG: I'm not talking about</p> <p>3 Cummings.</p> <p>4 MR. FUNK: Okay. Well, you showed</p> <p>5 him a page that mentions his name. Because</p> <p>6 specifically --</p> <p>7 MS. WANG: I'm asking him about</p> <p>8 who was -- the names of the officers -- the</p> <p>9 detectives who took him from his house and</p> <p>10 took him to the lineup --</p> <p>11 MR. FUNK: Okay. So --</p> <p>12 MS. WANG: -- he said he didn't</p> <p>13 recall --</p> <p>14 MR. FUNK: And his testimony here</p> <p>15 he didn't actually say he recalled Mike</p> <p>16 Cummings being there.</p> <p>17 MS. WANG: I'm not asking him</p> <p>18 about Mike Cummings --</p> <p>19 MR. FUNK: Okay.</p> <p>20 MS. WANG: -- I'm asking him --</p> <p>21 MR. FUNK: That's my objection.</p> <p>22 MS. WANG: -- about Staimpel.</p> <p>23 MR. FUNK: And, in fact, I think</p> <p>24 there was no testimony from Mr. Vernon at</p> <p>25 that trial that Detective Cummings was</p>	<p style="text-align: right;">Page 79</p> <p>1 unexpected.</p> <p>2 MR. FUNK: Okay.</p> <p>3 MS. WANG: Okay.</p> <p>4 MR. GILBERT: Okay.</p> <p>5 MS. WANG: Did he go somewhere?</p> <p>6 He went to the bathroom? Okay.</p> <p>7 THE VIDEOGRAPHER: You want to go</p> <p>8 off?</p> <p>9 MS. WANG: Go off for a second.</p> <p>10 THE VIDEOGRAPHER: Off the record</p> <p>11 at 11:13.</p> <p>12 - - - -</p> <p>13 (Off the record.)</p> <p>14 - - - -</p> <p>15 THE VIDEOGRAPHER: Back on the</p> <p>16 record at 11:16.</p> <p>17 BY MS. WANG:</p> <p>18 Q. All right. So, I've actually just marked a</p> <p>19 couple of the lines on page 131 from your</p> <p>20 testimony at Ronnie Bridgeman's criminal trial.</p> <p>21 Have you reviewed this?</p> <p>22 A. Yes. Okay.</p> <p>23 Q. Does it refresh your recollection as to what the</p> <p>24 name of one of the detectives was at the lineup?</p> <p>25 MR. FUNK: Objection.</p>
<p style="text-align: right;">Page 78</p> <p>1 there.</p> <p>2 MS. WANG: I understand that --</p> <p>3 MR. FUNK: Okay.</p> <p>4 MS. WANG: -- that's a question</p> <p>5 from the prosecutor.</p> <p>6 MR. FUNK: It's actually -- that's</p> <p>7 a question on cross-examination.</p> <p>8 MS. WANG: Or --</p> <p>9 MR. FUNK: By Mr --</p> <p>10 MS. WANG: It's not his testimony</p> <p>11 about Cummings --</p> <p>12 MR. FUNK: Right.</p> <p>13 MS. WANG: -- is what you're</p> <p>14 saying? Okay. But I just want to make</p> <p>15 sure because I want it to be sort of out --</p> <p>16 MR. FUNK: I just don't want you</p> <p>17 to lead, unnecessarily lead him into the</p> <p>18 suggestion that he had previously</p> <p>19 identified Detective Cummings --</p> <p>20 MS. WANG: No, I'm not.</p> <p>21 MR. FUNK: -- when in fact --</p> <p>22 MS. WANG: I'm not.</p> <p>23 MR. FUNK: Okay.</p> <p>24 MR. GILBERT: And you can</p> <p>25 obviously clear that up if it is something</p>	<p style="text-align: right;">Page 80</p> <p>1 A. I don't know. Sort of. I can't really say.</p> <p>2 Just sort of, yeah.</p> <p>3 Q. Okay. The -- all right. So, then you were</p> <p>4 saying after the lineup the two detectives who</p> <p>5 had been present with you at the lineup took you</p> <p>6 into a room; is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Was there anybody else with you at that time</p> <p>9 besides those two detectives?</p> <p>10 A. Not that I can recall.</p> <p>11 Q. And then in that room what happened next?</p> <p>12 A. Well, he began to state that you made a statement</p> <p>13 and you said that you knew who did it, and he's</p> <p>14 beating on the table and pushing stuff around,</p> <p>15 and he says you lied, he said, but you can't go</p> <p>16 to jail, he said, but your mother and father can</p> <p>17 go to jail for perjury. I didn't know what</p> <p>18 perjury is, but I know I didn't want my mother</p> <p>19 and father to go to jail.</p> <p>20 So I'm crying, and, you know, and I'm just so</p> <p>21 scared. And after that he said we'll fix it, and</p> <p>22 he left out of the room, both of them. And I</p> <p>23 don't know, I can't say how much time passed by</p> <p>24 before they came back in and he told me to sign</p> <p>25 this statement, but didn't look at it. And what</p>

<p style="text-align: right;">Page 81</p> <p>1 it says, it says that you were scared to pick the</p> <p>2 -- to pick them out of the lineup. And that was</p> <p>3 primarily -- that was primarily it.</p> <p>4 Q. Okay. And just to back you up a little bit --</p> <p>5 A. Uh-huh, go ahead.</p> <p>6 Q. -- the detective who said that your parents can</p> <p>7 go to jail, we can take your parents to jail, was</p> <p>8 it one detective making that statement to you or</p> <p>9 did they both take turns talking?</p> <p>10 A. It was the one.</p> <p>11 THE COURT REPORTER: Sorry?</p> <p>12 THE WITNESS: Just the one.</p> <p>13 Q. And the other detective, did the other detective</p> <p>14 say anything?</p> <p>15 A. Not that I can recall.</p> <p>16 Q. How did you feel when the detective told you that</p> <p>17 he could take your parents to jail?</p> <p>18 MR. FUNK: Objection.</p> <p>19 A. I was very sad, I was very hurt, and I was just</p> <p>20 crying. I was --</p> <p>21 Q. And you had said that the detective was banging</p> <p>22 on the table?</p> <p>23 A. Yep. Yeah. Yes.</p> <p>24 Q. Were you afraid at that time?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 83</p> <p>1 I'm sorry, strike that.</p> <p>2 Did you tell your mother that you didn't see</p> <p>3 the crime?</p> <p>4 MR. FUNK: Objection.</p> <p>5 A. Did I tell her that?</p> <p>6 Q. Yes.</p> <p>7 A. Nah, my mother knew that.</p> <p>8 Q. Okay. The detective who came back into the room</p> <p>9 for the statement --</p> <p>10 A. Uh-huh.</p> <p>11 Q. -- actually strike that.</p> <p>12 You had described earlier the detectives both</p> <p>13 after they had made threats to you, they left the</p> <p>14 room; is that right?</p> <p>15 MR. FUNK: Objection.</p> <p>16 A. Yes, they did.</p> <p>17 Q. And how much longer was it before they came back?</p> <p>18 A. I said I didn't know how much time it had been.</p> <p>19 Yeah, I don't know how much time it was. I don't</p> <p>20 know if it was 20 minutes, 30 minutes. I'm not</p> <p>21 exactly sure.</p> <p>22 Q. Okay. By the way, when the detective told you</p> <p>23 that he could take your parents to jail, did you</p> <p>24 feel threatened?</p> <p>25 MR. FUNK: Objection.</p>
<p style="text-align: right;">Page 82</p> <p>1 Q. Why did you say during the lineup that you didn't</p> <p>2 recognize anybody?</p> <p>3 A. Well, my mother had already pulled me aside that</p> <p>4 morning when I -- before I went down -- before</p> <p>5 they took me out the door and she said all you</p> <p>6 have to do is not pick them out of the lineup</p> <p>7 and they'll let them go.</p> <p>8 Q. Do you know why she said that to you?</p> <p>9 MR. FUNK: Objection.</p> <p>10 A. Yes. She said that because she knew that they</p> <p>11 didn't do it.</p> <p>12 Q. By the time of the lineup, how had you started to</p> <p>13 feel about the fact that you had identified them</p> <p>14 earlier?</p> <p>15 MR. FUNK: Objection.</p> <p>16 A. What do you mean "by the time of the lineup"?</p> <p>17 Q. Why did you decide to follow your mother's advice</p> <p>18 and say that you didn't recognize anybody?</p> <p>19 A. Because that's what my mother told me to do and</p> <p>20 there's something that's a part of me that knows</p> <p>21 they didn't do it.</p> <p>22 Q. You didn't see them commit the crime; is that</p> <p>23 right?</p> <p>24 A. No, I didn't.</p> <p>25 Q. After the detective came back into the room --</p>	<p style="text-align: right;">Page 84</p> <p>1 A. Yes, I did.</p> <p>2 Q. Did you know what perjury meant?</p> <p>3 A. No, not at that time.</p> <p>4 Q. And what was your mother's health condition at</p> <p>5 that time like?</p> <p>6 A. My mother had cancer and she was very sick. And</p> <p>7 she had just had an operation, so she was very</p> <p>8 sick.</p> <p>9 Q. When the detective came back into the room with a</p> <p>10 statement -- is that what you said, he came back</p> <p>11 into the room with the statement?</p> <p>12 A. With like a paper for me to sign.</p> <p>13 Q. Okay. And did both detectives come back into the</p> <p>14 room, both of the ones who had been in there with</p> <p>15 you earlier?</p> <p>16 A. Yes.</p> <p>17 Q. Was there anybody else there at the time?</p> <p>18 A. If there was, I can't remember.</p> <p>19 Q. And when they came back into the room, what did</p> <p>20 either of the detectives say to you at that time?</p> <p>21 A. They just told me to sign this paper here and it</p> <p>22 just states that you were scared to pick them out</p> <p>23 of the lineup. I didn't -- I didn't get a chance</p> <p>24 to read anything -- any of it or anything, I just</p> <p>25 signed down at the bottom.</p>

<p style="text-align: right;">Page 85</p> <p>1 - - - -</p> <p>2 (Thereupon, Plaintiff's Exhibit 5 was marked</p> <p>3 for purposes of identification.)</p> <p>4 - - - -</p> <p>5 Q. Handing you what has been marked as Deposition</p> <p>6 Exhibit 5 --</p> <p>7 A. Uh-huh.</p> <p>8 Q. -- all right. If you can just take a minute to</p> <p>9 look at that and let me know when you're</p> <p>10 finished.</p> <p>11 A. Okay.</p> <p>12 Q. Is Deposition Exhibit 5 a copy of the statement</p> <p>13 that was brought to you?</p> <p>14 A. No. This is something different.</p> <p>15 Q. It's something different?</p> <p>16 A. This is something -- this is -- no, this is</p> <p>17 something different.</p> <p>18 Q. Do you recall what the statement -- sorry, strike</p> <p>19 that.</p> <p>20 The statement that was brought to you by the</p> <p>21 two detectives who were present for your lineup,</p> <p>22 do you recall what it said?</p> <p>23 MR. FUNK: Objection.</p> <p>24 A. I could remember pretty much the headlines, kind</p> <p>25 of like with my name on top of it and it stated</p>	<p style="text-align: right;">Page 87</p> <p>1 A. No. No.</p> <p>2 Q. Did the detective who asked you to sign the</p> <p>3 statement saying that you were scared to pick</p> <p>4 them out of -- pick Buddy and Ricky out of the</p> <p>5 lineup, did he ask you to review it to see if it</p> <p>6 was accurate and true?</p> <p>7 A. No.</p> <p>8 MR. FUNK: Objection.</p> <p>9 A. No.</p> <p>10 Q. He just told you to sign it?</p> <p>11 A. Yes.</p> <p>12 Q. And then did you sign it?</p> <p>13 A. Yes.</p> <p>14 Q. Why did you sign it?</p> <p>15 A. Because I didn't want my mother and father to go</p> <p>16 to jail.</p> <p>17 Q. During the time that -- prior to being shown the</p> <p>18 statement that you signed, did any -- either of</p> <p>19 the detectives call you names while they were</p> <p>20 banging on the table?</p> <p>21 MR. FUNK: Objection.</p> <p>22 A. A lot of things were said.</p> <p>23 Q. Do you recall what in particular was said?</p> <p>24 A. Well, there was name calling, but -- there was</p> <p>25 name calling. Yeah. I'd rather not use the</p>
<p style="text-align: right;">Page 86</p> <p>1 right about in here (indicating) that Edward</p> <p>2 Vernon, such and such, was scared to pick the men</p> <p>3 out of the lineup. This is why he did not pick</p> <p>4 them out of the lineup.</p> <p>5 There was more stuff on there, but then all</p> <p>6 they did is told me to sign just like at the</p> <p>7 bottom like here (indicating). And that's all</p> <p>8 they -- that's the only part that they read to me</p> <p>9 and I just signed this statement at the bottom.</p> <p>10 Q. Okay. Do you recall anything else that was in</p> <p>11 that statement?</p> <p>12 A. No. Like I just said, they read the -- you know,</p> <p>13 they let me see and read the first part of that</p> <p>14 right up there and that was that. And like I</p> <p>15 said, they told me to just sign right there</p> <p>16 (indicating). And I'm already scared half to</p> <p>17 death. I'm crying, shaking and just --</p> <p>18 Q. Did you tell either of the detectives at that</p> <p>19 point, I didn't see what happened?</p> <p>20 MR. FUNK: Objection.</p> <p>21 A. No.</p> <p>22 THE COURT REPORTER: Sorry?</p> <p>23 THE WITNESS: No. No, I didn't.</p> <p>24 Q. Were you scared to pick them out of the lineup?</p> <p>25 MR. FUNK: Objection.</p>	<p style="text-align: right;">Page 88</p> <p>1 words that they used. Okay?</p> <p>2 Q. I don't know, it may be uncomfortable, but I do</p> <p>3 need to ask you if you recall what names you were</p> <p>4 called by the detectives?</p> <p>5 A. Well --</p> <p>6 MR. FUNK: Objection.</p> <p>7 A. Well, I guess being black --</p> <p>8 THE COURT REPORTER: You've got to</p> <p>9 speak up.</p> <p>10 A. I guess being black, you would know the names</p> <p>11 that they called me, so --</p> <p>12 Q. Okay. Was it the N word?</p> <p>13 A. Yes.</p> <p>14 Q. Were there any other names that had a racial</p> <p>15 context that you were called?</p> <p>16 A. That was it.</p> <p>17 Q. How did that make you feel to be called that</p> <p>18 name?</p> <p>19 A. Huh, it made me feel really sad, really sad.</p> <p>20 Because I wasn't used to be being called that.</p> <p>21 Q. After you signed the statement, what happened</p> <p>22 next?</p> <p>23 A. Mom -- they took me home -- well, on my way out</p> <p>24 of the, out of the room it's like -- you know,</p> <p>25 they have the lineup window and then they had</p>

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1 this other little area where they make, I guess
 2 they make the phone calls, and so as I walked
 3 past, he asked me, well, who is that right there?
 4 And I said, ah, that's, I said that's Ricky. He
 5 said, oh, okay. And that was it, we kept on
 6 walking.
 7 Q. And did you see anybody else you recognized by
 8 the telephone?
 9 A. Oh, wow, Wiley was and Buddy was there, but they
 10 only -- they only -- he only pointed to Ricky,
 11 but at that point I told him who it was and he
 12 only pointed to him.
 13 Q. Did you -- did the detective say anything to you
 14 after you said, oh, that's Ricky?
 15 A. No. It's, oh, okay.
 16 Q. And then where did you go next?
 17 A. Home.
 18 Q. After that day when's the next time you talked to
 19 any Cleveland Police detective?
 20 A. I want to say that Monday, that Monday after the
 21 lineup. Because I don't know if that was the day
 22 that -- I don't know if that was like one of the
 23 days that detective -- they picked me up from
 24 school that morning or -- but all I know is I
 25 talked to them the next day and the day after the

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1 lineup.
 2 Q. Okay. And where were you when you spoke -- was
 3 it -- who --
 4 A. I can't remember if I was at home. I know they
 5 picked me up from home. I want to say home. I'm
 6 going to just say home.
 7 Q. And who is they?
 8 A. Detective Terpay and Detective Farmer.
 9 Q. And what conversation did you have with them
 10 then?
 11 A. Well, the conversation that they had, that
 12 Detective Terpay have, because like I said,
 13 Detective Farmer didn't do a whole lot of -- he
 14 didn't do a whole lot of talking. Detective
 15 Terpay was very mad. He was very angry. He
 16 was --
 17 Q. He was angry at you?
 18 A. Yes.
 19 Q. Okay. And how did he -- what did he say to you?
 20 A. Very loud. And he was like, well, why would you
 21 go down there and tell a lie, and say that this
 22 is not them? And we sat up and we talked about
 23 this. And you made a statement and said that
 24 these were the guys who did it and -- he was very
 25 angry.

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1 Q. Did he yell at you?
 2 A. Oh, yeah. Oh, yes.
 3 Q. Did he call you any names?
 4 A. No, I don't believe. He did a lot of yelling and
 5 everything, yes, he did.
 6 Q. Were you in -- where were you when this
 7 conversation took place?
 8 A. We were on our way down to the police station.
 9 Q. What did you say in response to his question?
 10 A. I just told him I did what my mother told me to
 11 do.
 12 Q. Did you tell Detective Terpay, I didn't -- I
 13 didn't see anything?
 14 MR. FUNK: Objection.
 15 A. At that time?
 16 Q. Right.
 17 A. No.
 18 Q. At any time --
 19 THE COURT REPORTER: Sorry?
 20 THE WITNESS: No.
 21 Q. At any time did you say to Detective Terpay
 22 anything to the effect of I didn't see the crime
 23 or Ricky didn't do it?
 24 MR. FUNK: Objection.
 25 A. When we got down to the police station, that's

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1 when I kind of told them that, you know, I didn't
 2 see any of this.
 3 Q. Okay. Tell me about that conversation.
 4 A. Right.
 5 MR. FUNK: Objection.
 6 A. He said that, well, you made a statement that you
 7 saw these things. And I said, but I didn't. And
 8 he says don't worry about it, it's over with now,
 9 so -- you don't have to worry about them, you
 10 don't have to worry about anything -- they'll be
 11 going to trial and you've got to be ready to
 12 prepare yourself to go through three different
 13 trials.
 14 MS. WANG: What's your objection?
 15 What's the basis? I just want to know so I
 16 can fix it.
 17 MR. FUNK: You're leading him.
 18 Q. Tell me -- well, after you left the home, your
 19 house --
 20 A. Uh-huh.
 21 Q. -- you left with -- who did you leave with?
 22 A. Detective Terpay and Detective Farmer.
 23 Q. What day was this? How many days after the
 24 statement that you signed?
 25 A. After the lineup?

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1 Q. Yeah. How many days after the lineup?
 2 A. It was the next day.
 3 Q. Okay. And so where did you go?
 4 A. We went to the police station.
 5 Q. And at the police station, did you have any
 6 conversation with Detective Terpay or Farmer?
 7 A. Yes.
 8 Q. What conversation did you have with them then?
 9 A. Like it was -- on our way down, Detective Terpay
 10 just told me he was mad at me and he told me why
 11 he was mad at me. Because I didn't pick the guys
 12 out of the lineup.
 13 And, you know, it was a pretty short distance
 14 down to the police station, so by that time --
 15 but anyway, he said he was mad because I didn't
 16 pick the guys out of the lineup. He said you
 17 made a statement in saying that you saw who did
 18 it and now you're saying that they didn't do it.
 19 Q. What did you say to Detective Terpay?
 20 A. Well, when I was down there, I told him, I said,
 21 that they didn't do it. And he says, no, you
 22 know they did it. And I said, no, they didn't.
 23 And he said, yeah, you know they did it, right?
 24 And he was very angry, you know. And he kept
 25 saying that, now, you know that your mother and

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1 father are going to go to jail?
 2 So, I said, yeah. I said, yeah, well, I
 3 guess they the ones who did it. So things kind
 4 of changed around.
 5 Q. So, I just want to be clear I understand,
 6 Detective Terpay said to you, you know your
 7 mother and father will go to jail if you don't
 8 say that will do it -- that they had done it?
 9 A. Yes.
 10 Q. Okay. What words exactly -- and I know this is a
 11 long time ago, but what words exactly do you
 12 recall Detective Terpay saying to you about your
 13 father and mother possibly going to jail?
 14 A. That was it right there, just what I just stated.
 15 Q. Okay. And so what were you thinking at that
 16 point about what you needed to do?
 17 A. I was thinking at that time really and truly, I
 18 wanted to kill myself.
 19 Q. Can you explain why?
 20 A. Because I was hurt and I know that I had lied.
 21 Q. Why did you end up saying that Ricky and Buddy
 22 and Bitsey had committed the crime?
 23 MR. FUNK: Objection.
 24 A. Why did I end up saying it?
 25 Q. Yeah. Why did you go along with that?

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1 A. Because --
 2 MR. FUNK: Objection.
 3 A. -- because of the threatening remarks that
 4 Detective Terpay made, and also because I didn't
 5 want my mother and father, you know, to go to
 6 jail.
 7 MS. WANG: What's the basis of
 8 your objection, Steve?
 9 MR. FUNK: You -- I'm not going to
 10 -- you suggested the answer -- in your
 11 question you suggested the answer, I just
 12 want --
 13 Q. You had earlier -- okay. Let me ask you again,
 14 Mr. Vernon, just so the record is clear.
 15 When you were at the police station the day
 16 after the lineup, you had a conversation with
 17 Detective Terpay, right?
 18 MR. FUNK: I'm going to object.
 19 This is asked and answered. This is now
 20 the third time you're going to go through
 21 it.
 22 MS. WANG: No, if you're --
 23 MR. FUNK: I objected to one
 24 question and --
 25 MS. WANG: -- if you're going to

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1 object on foundation, if we have an issue,
 2 I've got to fix it, so I'm going to fix it
 3 now.
 4 MR. FUNK: Well, actually, let's
 5 go back, the question I objected to --
 6 THE COURT REPORTER: Which one is
 7 it?
 8 MR. FUNK: My last objection.
 9 Your question was, "Why did you end up
 10 going along with that?" That's why I
 11 objected to it.
 12 BY MS. WANG:
 13 Q. All right. Well, let me say this: During this
 14 conversation that you had with Detective Terpay
 15 at the police station you had testified earlier
 16 that he said that your mother and father could go
 17 to jail, right?
 18 A. Yes.
 19 Q. Okay. And what did you understand that to mean?
 20 MR. FUNK: Objection.
 21 A. It means that they're going to jail if I didn't
 22 cooperate and tell -- say what they wanted me to
 23 say.
 24 Q. And -- did Detective Terpay tell you what he
 25 wanted you to say?

<p style="text-align: right;">Page 97</p> <p>1 MR. FUNK: Objection.</p> <p>2 A. No.</p> <p>3 MS. WANG: What is the basis of</p> <p>4 your objection?</p> <p>5 MR. FUNK: Leading again.</p> <p>6 Q. Did he tell you -- what did Detective Terpay tell</p> <p>7 you?</p> <p>8 MR. FUNK: Objection.</p> <p>9 A. What did he tell me?</p> <p>10 Q. Yeah, what did he tell you.</p> <p>11 A. Well, when I was down -- when I was at the police</p> <p>12 station, all he said was that --</p> <p>13 MR. FUNK: This is asked and</p> <p>14 answered, but go ahead.</p> <p>15 A. All he said was that your mother and father will</p> <p>16 go to jail.</p> <p>17 Q. And what -- go ahead.</p> <p>18 A. And I'm sitting there and I'm looking and I'm</p> <p>19 thinking, I'm like, I don't want my mother and</p> <p>20 father to go to jail because that's the day</p> <p>21 before they -- the other detectives already had</p> <p>22 stated that my mother and father would go to jail</p> <p>23 because of the statement that I made before and</p> <p>24 saying that I saw them do this. So, I don't know</p> <p>25 if he was reiterating what they said or what, I'm</p>	<p style="text-align: right;">Page 99</p> <p>1 change --</p> <p>2 MS. WANG: Okay.</p> <p>3 THE COURT REPORTER: Repeat that.</p> <p>4 THE WITNESS: What?</p> <p>5 THE COURT REPORTER: What you just</p> <p>6 said.</p> <p>7 MS. WANG: He's got to change the</p> <p>8 tape.</p> <p>9 THE WITNESS: Okay.</p> <p>10 THE VIDEOGRAPHER: End of tape</p> <p>11 two. Off the record at 11:47.</p> <p>12 - - - -</p> <p>13 (Off the record.)</p> <p>14 - - - -</p> <p>15 THE VIDEOGRAPHER: Tape three.</p> <p>16 Back on the record at 11:49.</p> <p>17 BY MS. WANG:</p> <p>18 Q. At the end of your conversation with Detective</p> <p>19 Terpay, what did you tell him about what you had</p> <p>20 seen, if anything?</p> <p>21 A. At the end of the conversation?</p> <p>22 Q. Yes.</p> <p>23 A. We just, we talked about what I had said from the</p> <p>24 beginning.</p> <p>25 Q. Okay. And why did you agree -- why did you end</p>
<p style="text-align: right;">Page 98</p> <p>1 not sure.</p> <p>2 Q. So, what did you say in response to Detective</p> <p>3 Terpay when he said your father and mother could</p> <p>4 go to jail?</p> <p>5 A. I said I didn't want my mother and father to go</p> <p>6 to jail.</p> <p>7 Q. What did he say in response to that?</p> <p>8 A. He said then you'll have to tell the truth.</p> <p>9 Q. And what did you say?</p> <p>10 A. And I agreed to tell the truth.</p> <p>11 Q. What was the truth?</p> <p>12 A. On the statement that I made prior to the</p> <p>13 statement that they gave me at the lineup.</p> <p>14 Q. So what did you end up telling Detective Terpay</p> <p>15 happened?</p> <p>16 A. He just told me just to stick with what I had</p> <p>17 told him in the beginning.</p> <p>18 Q. Okay. And what you had told him in the beginning</p> <p>19 was that -- was what?</p> <p>20 A. That I saw who did it and I gave a statement of</p> <p>21 --</p> <p>22 THE COURT REPORTER: Speak up.</p> <p>23 A. -- who they were.</p> <p>24 THE COURT REPORTER: Repeat that.</p> <p>25 THE VIDEOGRAPHER: I've got to</p>	<p style="text-align: right;">Page 100</p> <p>1 up -- why did you say that -- sorry, strike that.</p> <p>2 You had not seen Buddy, Wiley or Ricky commit</p> <p>3 the crime; is that correct?</p> <p>4 A. That's correct.</p> <p>5 Q. Why did you tell Detective Terpay that you had?</p> <p>6 A. Like I just stated, I didn't want my mother and</p> <p>7 father to go to jail.</p> <p>8 Q. Okay. Was there anybody else present for this</p> <p>9 conversation between you and Detective Terpay?</p> <p>10 A. Detective Farmer was there.</p> <p>11 Q. Anyone else?</p> <p>12 A. If there was I can't recall.</p> <p>13 Q. Do you recall how long you were at the police</p> <p>14 station during that occasion?</p> <p>15 A. I don't know. A couple of hours or so.</p> <p>16 Q. And what happened at the end of that conversation</p> <p>17 with Detective Terpay?</p> <p>18 A. He kind of comforted me and gave me a hug because</p> <p>19 I was still crying, I'm scared, I didn't know</p> <p>20 what to do. And he kept telling me, it's going</p> <p>21 to be all right, you'll be all right. And he</p> <p>22 brought me back home.</p> <p>23 Q. When's the next time that you recall speaking</p> <p>24 with any detectives after that?</p> <p>25 A. I don't know. I don't know. It was a little</p>

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1 while. It was a little while. I can't remember.
 2 I know it was a little while. I don't know.
 3 I think I remember before the trial started,
 4 one of them's trial started, I can't remember. I
 5 can't remember an exact time and how many days
 6 and how many weeks or whatever, no.
 7 Q. Taking a look at Deposition Exhibit 5 --
 8 A. Uh-huh.
 9 Q. -- you had said earlier that this was not the
 10 statement that you signed when you were with the
 11 two detectives who were not Terpay and Farmer,
 12 right?
 13 A. That's correct.
 14 Q. Do you recall ever seeing this statement before?
 15 A. This here was a statement that was -- this is
 16 what I'm referring to, part of this is what --
 17 because I read over the whole thing -- this is
 18 what -- the statement that was typed up and given
 19 to me from the beginning.
 20 Q. And --
 21 A. From the beginning. Like as -- as I was given
 22 things about the different things that happened
 23 up at the store, the information, I guess all of
 24 it was put together and put on a piece -- you
 25 know, typed up and put on a piece of paper. And

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1 this here is pretty much what -- the statement
 2 that was saying that I had supposedly had saw and
 3 said.
 4 Q. Okay. So, do you recall seeing this statement or
 5 being shown this statement at the time of, you
 6 know, either before or after the lineup, around
 7 that time?
 8 A. Not after the lineup. After the lineup I didn't
 9 see any -- I didn't see this.
 10 Q. Okay.
 11 A. This was -- this -- this here was done pretty
 12 much all except for this part right about in here
 13 (indicating) where it speaks about the lineup and
 14 all of this stuff. That part was -- no, no, no.
 15 That apart was not there in the original part,
 16 nuh-uh. Because I hadn't -- I had not yet seen
 17 anybody in the lineup, so --
 18 Q. Right.
 19 A. -- they wouldn't have known, but like the
 20 descriptions of the car. The -- I'm just going
 21 to paraphrase it -- the description of the car,
 22 the gun, the number of times it was shot, what
 23 was thrown in their face -- what was thrown in
 24 Mr. Frank's face, those things were things that
 25 were given to me in the beginning before all --

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1 before all of this.
 2 Q. Before the lineup?
 3 A. Yeah. Now, this here (indicating) --
 4 Q. Wait. Let me just clarify that --
 5 A. Yeah.
 6 Q. -- who gave that information to you before the
 7 lineup?
 8 MR. FUNK: Objection.
 9 A. I told you, Detective Terpay.
 10 Q. Okay. Okay.
 11 A. Yes.
 12 Q. Oh, okay. And this was what you were describing
 13 earlier?
 14 A. This is what I was describing earlier. Now, the
 15 rest of this, you know, from -- I want to say
 16 from May 25th all of that, viewed the lineup, see
 17 all of that, that had to have come after the
 18 lineup. This is not the statement that I signed.
 19 This one. Not this one. It was another one.
 20 And I already know it was, it was another one.
 21 Q. Okay.
 22 A. This is probably the one that they gave me -- I
 23 don't know, but I know this is not the one that I
 24 signed. Because I don't recall all of this being
 25 on there. Because like I said, I didn't get a

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1 chance to read it all, but it wasn't -- all this
 2 stuff -- all that stuff wasn't on there.
 3 Q. Okay.
 4 A. You know, it stated -- like I said, it stated me
 5 saying that I was scared to view the lineup and
 6 to pick the guys out, and had my name and stuff,
 7 just like it did up here (indicating), right
 8 across here (indicating), yeah.
 9 Q. Do you recall ever sitting in a room with
 10 officers and, you know, an officer typing up a
 11 statement?
 12 A. There was so many different times where -- yeah,
 13 there was a time where things were being typed
 14 up, yes.
 15 Q. Do you remember which occasion it was?
 16 A. No.
 17 Q. Do you remember what was being typed up?
 18 A. Pretty much just like I said, these -- this here
 19 (indicating), this here (indicating), and I don't
 20 know what else, but I know pretty much this part
 21 right here (indicating) I know for sure. And --
 22 Q. And just for the record, you're pointing to the
 23 top half of --
 24 A. Top half.
 25 Q. -- Deposition Exhibit 5?

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1 A. Yes. And the part where I knew them, and how
 2 long did I know them, and things like that. All
 3 of those things. But these things, I had already
 4 stated from the beginning of how long I knew
 5 them, you know, in the neighborhood. Those
 6 things like that. So, I don't know, I'm not
 7 exactly sure.
 8 Q. Okay. Do you remember ever signing this
 9 statement here or a copy of it that looks like
 10 this?
 11 A. I remember something being -- it could have been
 12 -- could have been my signature, could have --
 13 you know, but I remember statements, I remember
 14 statements, I remember paperwork. I just
 15 remember paperwork, you know.
 16 Q. Okay. So --
 17 MS. WANG: Let's go off the record
 18 for a second.
 19 THE VIDEOGRAPHER: Off the record
 20 at 12:00 o'clock.
 21 - - - -
 22 (Thereupon, a discussion was had off the
 23 record.)
 24 - - - -
 25 THE VIDEOGRAPHER: Okay. We're

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1 back on the record at 12:07.
 2 BY MS. WANG:
 3 Q. All right. Mr. Vernon, I'm going to show you
 4 some photographs. And I just want to ask you if
 5 you recognize anyone in the photographs. So I
 6 will just show them one by one.
 7 MR. FUNK: You're not going to do
 8 them in order?
 9 MS. WANG: What?
 10 MR. FUNK: I thought you were
 11 going to do them in order.
 12 MS. WANG: Why do I have to do
 13 them in order?
 14 MR. FUNK: Okay.
 15 MR. GILBERT: Does it make any
 16 difference, I mean --
 17 MR. FUNK: It's kind of somewhat
 18 suggestive --
 19 MS. WANG: Your order.
 20 MR. FUNK: No, I put them in the
 21 order of one through eight.
 22 MS. WANG: But you decided the
 23 order.
 24 MR. FUNK: Randomly. Go ahead.
 25 BY MS. WANG:

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1 Q. So, I've handed you what's been marked as
 2 photograph No. 3. Just take your time. And my
 3 question is, after you're done taking a look at
 4 that, is if you recognize that person or does the
 5 person look familiar to you?
 6 A. Uh-huh.
 7 THE COURT REPORTER: Yes?
 8 THE WITNESS: Yes.
 9 Q. And how does that person look familiar to you?
 10 A. That's Detective Farmer.
 11 Q. And how do you recognize him?
 12 A. I remember his face. I remember the -- I told
 13 you earlier he had the two, the two dents in his
 14 head.
 15 Q. All right. I'm handing you what's been marked as
 16 photograph No. 6. Take your time to look at that
 17 and let me know if you recognize the person in
 18 the photo or if he looks familiar to you.
 19 A. Uh-huh. Yep. That's Detective Terpay.
 20 Q. Can you say that a little louder?
 21 A. Detective Terpay.
 22 Q. Okay. Handing you what's marked as photograph
 23 No. 4. Again, take your time to look at it and
 24 let me know if you recognize the person in the
 25 photograph or if he looks familiar to you.

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1 A. Oh, that's the big guy. Yeah, that's the big
 2 guy. I don't remember his name, but that's the
 3 big guy.
 4 Q. That's the big guy?
 5 A. Yeah.
 6 THE COURT REPORTER: Try and keep
 7 your voice up.
 8 A. Yeah, that's the big guy.
 9 Q. And what do you mean by "the big guy"?
 10 A. He's the guy that -- he's the guy that came and
 11 picked me up and took me down to the lineup, he's
 12 one of the guys, yes.
 13 Q. He's one of the detectives that took you to the
 14 lineup?
 15 A. Yes. Yes.
 16 Q. Was he the detective in the room --
 17 MR. FUNK: Objection.
 18 Q. -- with you after the lineup? Well, let me ask
 19 you this way: What else do you remember that
 20 detective doing?
 21 A. He's the detective that did all of the slamming
 22 and hitting on the tables.
 23 Q. The slamming -- I didn't hear.
 24 A. Hitting on the table, pushing stuff around.
 25 Q. Do you recall anything else that the detective

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1 did with you?
 2 A. That's the one that used the N word. Okay.
 3 Q. That's the one that used the N word?
 4 A. Yes.
 5 Q. Showing you what has been marked as photograph
 6 No. 7. My question to you is: Do you recognize
 7 the officer in that photograph or does he look
 8 familiar?
 9 A. Not quite, no.
 10 Q. You can't remember one way or another?
 11 MR. FUNK: Objection.
 12 A. No. I don't want to speculate.
 13 Q. Okay. Just for a second, going back to this
 14 photograph, photograph No. 4, you had described
 15 this officer as "the big guy"?
 16 A. Yeah.
 17 Q. What do you mean by that?
 18 A. He's big, he was a big guy. He was -- he was a
 19 big guy. That's all I can say, he was a big guy.
 20 Q. Like big heavy or big tall?
 21 A. Both. He was a big guy.
 22 Q. Okay. By the way, how tall were you in 1975?
 23 A. I don't know. About -- I don't know. In '75
 24 about the height I am now. I haven't grown.
 25 Q. How tall are you now?

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1 A. Five-five. So, I might have been about -- I
 2 might have been about five feet, maybe --
 3 Q. Okay.
 4 A. -- maybe.
 5 Q. And how much did you weigh then? Or let me put
 6 it this way --
 7 A. Probably about 90 pounds, 98, 99 pounds. I was
 8 little --
 9 Q. Okay.
 10 A. -- I was thin, real thin.
 11 Q. Have you always been thin?
 12 A. Until I went out for sports, yeah, and kind of
 13 built up a little.
 14 Q. Okay. Showing you what's been marked as
 15 photograph No. 5. Take a look at that. Take
 16 your time. Let me know if you recognize the
 17 person in that photograph.
 18 A. Nah, I'm not going to say I do.
 19 Q. Okay. Showing you what's been marked as
 20 photograph No. 8. Take a look at that photograph
 21 and let me know if you recognize the person in
 22 that photograph. No? Do you recognize him?
 23 A. No.
 24 Q. Handing you what's been marked as photograph No.
 25 1.

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1 A. Uh-huh.
 2 Q. Take a look at that and let me know if you
 3 recognize the person in the photograph.
 4 A. Okay. Give me one minute.
 5 Q. Okay. Do you need a break?
 6 A. No. The photograph I was -- I was just trying to
 7 remember the face on eight, but him I kind of
 8 remember. I don't know who he is, but him I
 9 remember.
 10 MR. FUNK: I'm sorry, you're
 11 looking at No. 1 now?
 12 THE WITNESS: Yes, yes. I'm
 13 looking -- no, I said, him I kind of
 14 remember.
 15 MR. FUNK: And you're referring to
 16 photograph No. 1?
 17 THE WITNESS: Yes.
 18 MR. FUNK: I just wanted to make
 19 it clear.
 20 A. Yes, I kind of vaguely remember, yes. The
 21 marking, yes, uh-huh.
 22 Q. Do you remember what interaction you had with
 23 that officer?
 24 A. I'm not exactly sure. I know I could remember
 25 the marking right here (indicating).

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1 Q. You're pointing to the --
 2 A. Yes.
 3 Q. -- in between the eyebrows?
 4 A. Yes, uh-huh.
 5 Q. Do you remember anything specifically about what
 6 that officer did or said to you, if anything?
 7 A. I don't know if that was the officer at -- boy, I
 8 remember the face though -- I don't know if he
 9 was the officer at the scene when I gave the --
 10 when I talked to him, or was he one of the --
 11 somebody down at the police station, one of the
 12 other detectives. I remember the face, that's
 13 all I can say, I remember the face.
 14 Q. Okay.
 15 A. Now, what type of interaction we had, I can't
 16 remember.
 17 Q. All right.
 18 A. It's something about No. 8 though it's like -- I
 19 don't know.
 20 Q. Let me show you No. 8 again --
 21 A. Yeah.
 22 Q. -- and you can take your time.
 23 A. There's something about eight --
 24 MR. FUNK: Objection. Go ahead.
 25 A. It's not coming clear, but -- okay. It's not

1 coming too clear.
 2 Q. Okay. The last one. Handing you photograph No.
 3 2. Could you take a look at that and let me know
 4 if you recognize the person in that photograph.
 5 A. Nuh-uh. Nah. Nope. If I do, I don't recall.
 6 Okay.
 7 Q. You don't recall?
 8 A. Huh. Not quite. No.
 9 Q. Okay. You don't recognize the person in No. 2?
 10 A. No.
 11 MS. WANG: Okay. I'm going to
 12 mark this whole group with the folders
 13 Deposition Exhibit No. 6. So, just for the
 14 record, the court reporter can -- can you
 15 keep the exhibits? Okay. So I'll just
 16 clip this like this and I'll keep it like
 17 this.
 18 - - - -
 19 (Thereupon, Plaintiff's Exhibit 6 was marked
 20 for purposes of identification.)
 21 - - - -
 22 Q. Just for the record the photographs that you
 23 viewed, numbers one through eight, are contained
 24 in their separate folders and they're marked as
 25 Plaintiff's Deposition Exhibit No. 6.

1 MS. WANG: Does everybody agree
 2 with that?
 3 MR. FUNK: That's fine.
 4 Q. All right. So, at some point you testified at
 5 the trial of Ricky Jackson, right?
 6 A. Yes.
 7 Q. And you later testified at the trials of Wiley
 8 Bridgeman and Ronnie Bridgeman, too?
 9 A. Yes.
 10 Q. In between the time when you had viewed those
 11 lineups, you know, around that time in May of
 12 1975 and the time of the trial, did you have any
 13 further interaction with any of the detectives?
 14 A. You mean like in between the trials?
 15 Q. Before the trials. After --
 16 A. The lineup and everything?
 17 Q. -- the lineup, but before the first trial.
 18 A. Periodically they would come by and talk with me
 19 to reiterate and go over what I had already made
 20 the statements, and to make sure that I remember
 21 what I say when I get up on the stand. It's kind
 22 of doing those things.
 23 Q. Okay. Who came by to talk with you?
 24 A. Detective Terpay and Farmer.
 25 Q. Okay. Did you ever see the officer from

1 photograph No. 4 after the day of the lineup?
 2 A. Yeah, I did see him, but it wasn't like -- what
 3 do you call it? On a regular basis. I did see
 4 him, but I can't remember why I saw him. Okay.
 5 Q. Okay. Do you remember any specific conversation
 6 that you had with Detective Terpay or Farmer
 7 after the lineup, but before the trial?
 8 A. Nothing. But we talked about what I was supposed
 9 to do and what I'm supposed to say once I get up
 10 on the jury stand.
 11 Q. And what did --
 12 A. Witness stand.
 13 Q. -- what conversation did you have with either
 14 Detective Terpay or Farmer about what you were
 15 supposed to say?
 16 A. Nothing. Like I just said, we went over
 17 everything that was already stated.
 18 Q. In the statement that you made?
 19 A. In the statement that I made and they told me
 20 about something about a cross-examination, to
 21 worry about that, and, you know, their lawyer is
 22 going to try to, you know, say that you didn't
 23 see this and you're saying that you did, and you
 24 made a statement. So, he said, you know, don't
 25 be scared up there on the witness stand and just

1 tell what you saw, which I didn't see anything.
 2 Q. Before the trial of Ricky Jackson, did you ever
 3 tell anyone that you had been threatened by the
 4 detectives?
 5 A. Yeah. My mother.
 6 Q. And what did you say to her?
 7 A. My mother and them -- my mother already -- I told
 8 her what had went on down at the lineup, and so
 9 she already -- you know, she knew. She knew.
 10 Q. And what did she say to you when you told her
 11 about it?
 12 A. She said that she didn't want me to go back down
 13 there anymore, but I guess when they talked to
 14 her, because they talked to her and that was
 15 primarily it after they talked to her, and I
 16 still ended up going down there and testifying.
 17 Q. Did you ever tell any attorney for Ricky Jackson
 18 about the threats that the police had made prior
 19 to the trial, prior to his trial?
 20 A. Prior to his trial? I don't know. I don't know
 21 if I -- I don't know if I talked to his attorneys
 22 or anything. I'm not sure. I can't -- you're
 23 talking about which trial? In '75?
 24 Q. Right.
 25 A. There could be a possibility. There could be a

<p style="text-align: right;">Page 117</p> <p>1 possibility. I just can't put it there exactly, 2 okay. 3 Q. Did you ever tell any prosecutor that you had 4 made -- that you -- sorry, strike that. 5 That any police detective had made threats 6 against you prior to the trial of Ricky Jackson? 7 A. No. 8 Q. And why did you testify against Ricky Jackson at 9 his criminal trial in 1975? 10 MR. FUNK: Objection. 11 A. Because I was -- I was made -- I was made to 12 testify because of the statement that I made 13 prior to them -- to him not being identified in 14 the lineup. And what I mean by that is 15 everything that I've said earlier, I had to come 16 forth and make it truth. 17 Q. What do you mean, you had to come forward and 18 make it true? You mean recently? 19 A. Yes. 20 MR. FUNK: Objection. 21 Q. How did you -- well, strike that. 22 During the time that Ricky's trial was going 23 on -- or strike that. 24 Before Ricky Jackson's trial, did you move 25 somewhere else, outside of Cleveland?</p>	<p style="text-align: right;">Page 119</p> <p>1 The only thing I was allowed to do was to come to 2 the trial, testify when I needed to testify, 3 other than that, I stayed at the hotel. I didn't 4 even come down here to the courthouse, no. 5 Q. Did you learn at some point since 1975 that Ricky 6 Jackson went to prison? 7 A. Yeah, I learned that -- 8 Q. Okay. 9 A. -- later on -- 10 Q. Right. 11 A. -- but as far as like the detectives coming and 12 telling me that he had -- you know, he was found 13 guilty and he was going to prison, no, they 14 didn't explain all of that to me, no. After one 15 trial they brought me a whole stack of 16 transcripts that I had to sit and read and go 17 over for the next trial. So, no, I wasn't 18 informed about everything that was going on at 19 the trial. 20 Q. Okay. Who brought you big stacks of paper? 21 A. Stack of papers, the transcripts, the detective, 22 Terpay. 23 Q. What did he say to you about the transcripts? 24 A. I had to read them, I had to read them, I had to 25 read them, I had to read them. I had to go over</p>
<p style="text-align: right;">Page 118</p> <p>1 A. No. Before Ricky Jackson's? 2 Q. Yes. 3 A. I moved out of town -- because I'm trying to -- 4 no, no. I moved out of town in September of '75, 5 so I believe I had already been through two 6 trials or three trials already. I think one of 7 them was a juvenile, so and I had to come back 8 and do a trial again when he turned an adult. So 9 -- and I can't remember which one, that was the 10 juvenile at that time. 11 But I remember Ricky Jackson's trial, no, I 12 was -- didn't move out of town, I had death 13 threats that were put on me from the 14 neighborhood, so what the detectives did is they 15 told my mother and them that it would be best 16 that he didn't stay here at home, so they put me 17 up at the Holiday Inn on Lakeside Avenue. 18 Q. And is that where you stayed during the trial? 19 A. Yes. Yes. For all the trials. 20 Q. After -- sorry, strike that. 21 Do you know whether Ricky Jackson was 22 convicted at his trial? 23 A. Do I know? 24 Q. Yes. 25 A. None of that information was really given to me.</p>	<p style="text-align: right;">Page 120</p> <p>1 everything that I said, so that when I go to the 2 next trial that I won't forget what I said in the 3 first one. And they won't be able to say that, 4 well, you said this here and now you're saying, 5 and now you're saying this, you said this here. 6 So, he kind of explained to me why I had to go 7 through all of those. 8 Yeah, it was quite -- it was quite 9 devastating. It was quite -- I don't know. I 10 can't even put it into words. 11 Q. What was devastating? 12 A. Having to do all of that it was very depressing 13 and just -- you know, it's just -- it was so much 14 it was overwhelming, put it like that. I know a 15 word to use now that I couldn't use then, but it 16 was overwhelming. 17 Q. Okay. At some point after Ricky went to prison, 18 did any attorneys or investigators come to try to 19 talk to you? 20 A. Yes. The first time I was -- I was in the tenth 21 grade, so I think that had to be, I want to say 22 1978 or something like that, and that was the 23 first time. 24 And I was already told by Detective Terpay 25 that I wasn't allowed to -- I wasn't allowed to</p>

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1 talk to anyone. And if anybody came to me about
 2 this case, to refer them to him and he would take
 3 care of it.
 4 Q. And was anybody else with Detective Terpay when
 5 he told you that?
 6 A. No. Just me and him.
 7 Q. Okay. Going back just for a moment to before the
 8 trials. Before the trial of Ricky Jackson, did
 9 you meet with any prosecutors?
 10 A. I met with -- the one name stuck out really -- I
 11 think Frank De Blasio I think his name was, one
 12 of the prosecutors. Now, who the other one
 13 was -- who the other ones was, I can't remember,
 14 but I do remember Frank De Blasio.
 15 Q. What do you remember about De Blasio?
 16 MR. FUNK: Objection.
 17 A. That he was --
 18 THE COURT REPORTER: You need to
 19 speak up.
 20 A. I know that he was the prosecutor, one of the
 21 prosecutors. And that he just kind of talked
 22 with me like the other ones did. It's just his
 23 name -- it's like certain names and certain
 24 things just sticks with me. And as far as like
 25 the other prosecutors, I can't remember exactly

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1 their names and everything.
 2 Q. Do you remember what conversation you had with
 3 him? Anything in particular sticks out in your
 4 mind?
 5 A. He just told me to pretty much stick with what
 6 was being said and they would ask me the
 7 questions that they asked me the questions in the
 8 previous trial and, you know, that's basically
 9 it.
 10 Q. All right. Going back -- I'm sorry I jumped
 11 around a little bit here, but you said when you
 12 were about in tenth grade or so when Terpay came
 13 to talk with you -- or, no, when attorneys for --
 14 an attorney for --
 15 A. For Ricky Jackson.
 16 Q. -- Ricky Jackson came to speak with you.
 17 A. He came -- they came to my grandmother's house,
 18 yes, uh-huh.
 19 Q. And how many people came?
 20 A. It was two of them.
 21 Q. Was it an attorney or an investigator or --
 22 A. They were -- I don't know what they were. All I
 23 know is they represented Ricky Jackson I'll put
 24 it like that.
 25 Q. What's your grandmother's name?

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1 A. My grandmother, her name is Elizabeth Washington.
 2 Q. Okay. Washington?
 3 A. Uh-huh.
 4 Q. And what -- were you staying there at that time?
 5 A. At my grandmother's? Yes. I stayed back and
 6 forth, with my grandmother and my mother, yeah.
 7 Q. What do you remember about that conversation?
 8 A. It wasn't no conversation because --
 9 Q. Oh.
 10 A. -- they -- they told me who they were and why
 11 they were there. And I immediately told them
 12 that I was not allowed to talk to them. And they
 13 say, yeah, we know, you going to say that you're
 14 not allowed to talk to me and they left after
 15 that.
 16 Q. Okay. What did they say they were there for?
 17 A. They said they were to talk to me about Ricky
 18 Jackson, to see if I would tell them the truth
 19 about what happened and I said I'm not allowed to
 20 talk to you, and that was it --
 21 Q. Okay.
 22 A. -- uh-huh.
 23 Q. When's the next time -- did you have a -- did you
 24 ever have another -- or sorry, strike that.
 25 After that time was there another time when

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1 any attorney or investigator for Ricky Jackson
 2 came to talk to you?
 3 A. Yes. I was -- yeah, I did. That was like maybe
 4 about three years later another one came and came
 5 over to my grandmother's house. And this time
 6 the two of them, because I don't know if it was
 7 the same two or not, but the two of them came and
 8 they stated who they were and why they were there
 9 and he said -- he looked at me and he said,
 10 well -- and I started to -- he said I know you
 11 want to tell the truth and he said you should go
 12 ahead and tell the truth. I said, but I'm not --
 13 he says I know you're not allowed to talk to us,
 14 he said, but you should tell the truth.
 15 And so after that he left. I called
 16 Detective Terpay and told him what happened.
 17 And, you know, each time I called him and told
 18 him what happened. And he said don't worry about
 19 it, I'll take care of it, you know, so --
 20 Q. Okay. So, just to be clear, after the first time
 21 when you were in tenth grade, you called
 22 Detective Terpay --
 23 A. Yeah, yeah.
 24 Q. -- after the attorney came to your house?
 25 A. That's what I was supposed to do, uh-huh.

<p style="text-align: right;">Page 125</p> <p>1 Q. And the second time that people came for Ricky Jackson, do you recall if it was an attorney or an investigator?</p> <p>2 Jackson, do you recall if it was an attorney or</p> <p>3 an investigator?</p> <p>4 A. Like I just said, all I can tell you is that, you</p> <p>5 know, they identified themselves, so I want to</p> <p>6 say -- I wanted to speculate and say that they</p> <p>7 were attorneys and investigators, but I knew who</p> <p>8 they were --</p> <p>9 Q. Okay.</p> <p>10 A. -- I knew who they were.</p> <p>11 Q. Okay. Were you still afraid of Detective Terpay</p> <p>12 at that point --</p> <p>13 MR. FUNK: Objection.</p> <p>14 Q. -- the second time?</p> <p>15 A. I've been -- I was afraid of Detective Terpay</p> <p>16 ever since.</p> <p>17 Q. When's the next time -- well, strike that.</p> <p>18 Let's take you to 2014, last year --</p> <p>19 A. Uh-huh.</p> <p>20 Q. -- did you testify at a court proceeding last</p> <p>21 year?</p> <p>22 A. Yes.</p> <p>23 Q. And what court proceeding was that, do you</p> <p>24 recall?</p> <p>25 A. That was for Ricky Jackson.</p>	<p style="text-align: right;">Page 127</p> <p>1 A. That was the truth.</p> <p>2 Q. Was that the first time that you had come forward</p> <p>3 in a court of law to tell the truth?</p> <p>4 A. Yes.</p> <p>5 Q. Why did you decide to come forward?</p> <p>6 A. Well, you have to remember it's like 39 years</p> <p>7 that I've been carrying this -- I've been</p> <p>8 carrying that. And I wanted to come forward</p> <p>9 throughout the years, but I was scared, scared to</p> <p>10 come forward and tell the truth, you know, with</p> <p>11 this battle in my mind, battle in my spirit,</p> <p>12 battle in my heart. It's like you need to come</p> <p>13 forth and tell the truth. Nah, you know, you'll</p> <p>14 go to jail if you tell the truth. If you don't</p> <p>15 tell the truth, you'll end up going to jail. If</p> <p>16 you don't tell the truth -- so, I'm battling with</p> <p>17 this all -- pretty much all my life, put it this</p> <p>18 way.</p> <p>19 I was -- I was sick in the hospital, I guess</p> <p>20 that's when I had found out I had fourth stage</p> <p>21 kidney failure and of course the hypertension</p> <p>22 also. And --</p> <p>23 Q. I'm sorry to interrupt, but let me just orient</p> <p>24 you, when was this that you were in the hospital?</p> <p>25 A. At the time that my pastor came to me.</p>
<p style="text-align: right;">Page 126</p> <p>1 Q. And what did you testify -- well, strike that.</p> <p>2 Do you understand what the purpose of that</p> <p>3 court proceeding was?</p> <p>4 A. Yes, I did.</p> <p>5 Q. What was it?</p> <p>6 A. It was to -- to put it in my own words, in other</p> <p>7 words, to come forth and tell the truth to get</p> <p>8 Ricky Jackson out of prison.</p> <p>9 Q. And so what did you testify to in general at the</p> <p>10 hearing?</p> <p>11 A. I testified that -- everything that was told --</p> <p>12 MR. FUNK: Objection to this</p> <p>13 question. Go ahead.</p> <p>14 A. Everything that was told, was stated was a lie.</p> <p>15 Q. What did you testify -- and I'm going to clarify</p> <p>16 my question -- what did you testify about --</p> <p>17 sorry, strike that.</p> <p>18 Were you asked questions about whether you</p> <p>19 saw Ricky Jackson commit any crime on May 19,</p> <p>20 1975?</p> <p>21 A. Yes, I did -- yes, I was.</p> <p>22 Q. And what did you answer in response to those</p> <p>23 questions?</p> <p>24 A. I responded no.</p> <p>25 Q. Was that the truth?</p>	<p style="text-align: right;">Page 128</p> <p>1 Q. Do you recall if that was in -- what year that</p> <p>2 was or how long ago from today?</p> <p>3 A. That was -- that was in two thousand -- it had to</p> <p>4 be 2013 when that happened, yes.</p> <p>5 Q. Okay. All right. Go on. And so you were saying</p> <p>6 you were at the hospital?</p> <p>7 A. Uh-huh.</p> <p>8 Q. What were you in the hospital for?</p> <p>9 A. I just stated those things. My blood pressure</p> <p>10 was out of control, it was sky high. Kidney</p> <p>11 problems. I already had the congestive heart</p> <p>12 failure. And I was doing pretty bad, I was</p> <p>13 actually doing pretty bad. And my pastor had</p> <p>14 came to me and -- after service, him and one of</p> <p>15 the members, and he was talking with me and he</p> <p>16 said, you know, I talked to the Innocence Project</p> <p>17 and he explained to me what the Innocence Project</p> <p>18 was.</p> <p>19 And he said -- and he said why they contacted</p> <p>20 him. So, after he stated that and I said, okay,</p> <p>21 well, you know what -- I got up out of the bed</p> <p>22 and I just broke down and I cried on his shoulder</p> <p>23 and I said, well, I'm ready to tell the truth,</p> <p>24 I'm ready to come forward and tell the truth that</p> <p>25 Ricky Jackson did not commit the crime that he</p>

<p style="text-align: right;">Page 129</p> <p>1 went to prison for.</p> <p>2 Q. When was the next time you spoke to anybody about</p> <p>3 the case after that?</p> <p>4 A. I don't know. I guess it was around -- I don't</p> <p>5 know. It was kind of a cold day, so I want to</p> <p>6 say -- I want to say October, I want to say</p> <p>7 October because I believe I was in the hospital</p> <p>8 in September of that year, but I want to say</p> <p>9 October, or it could be the reverse, but --</p> <p>10 Q. Okay. And who did you speak with?</p> <p>11 A. I spoke with an attorney from --</p> <p>12 THE COURT REPORTER: Sorry?</p> <p>13 A. -- attorneys from the Innocence Project --</p> <p>14 Q. The Innocence --</p> <p>15 A. -- they came -- huh?</p> <p>16 Q. The Innocence Project?</p> <p>17 A. Yes. They came to -- they came up to the church.</p> <p>18 Q. Do you recall who you spoke with?</p> <p>19 A. I can't remember her name, but his name was --</p> <p>20 what is his last name? It's right on the tip of</p> <p>21 my tongue -- it's not that I don't know these --</p> <p>22 the names.</p> <p>23 Q. That's okay.</p> <p>24 A. It's right there -- oh, man -- Howe -- what was</p> <p>25 his last name? Howe.</p>	<p style="text-align: right;">Page 131</p> <p>1 exactly what I did.</p> <p>2 Q. Okay. How did you feel about coming forward last</p> <p>3 year and telling the truth?</p> <p>4 MR. FUNK: Objection.</p> <p>5 A. I have mixed emotions. On one hand I was very</p> <p>6 excited about it, coming forward. And on the</p> <p>7 other hand, I had fear, I was scared.</p> <p>8 Q. Why were you scared?</p> <p>9 A. Well, perjury, it means you go back to prison,</p> <p>10 you go to prison, so -- but that part of me was</p> <p>11 like, don't worry about that. And what I mean by</p> <p>12 don't worry about it, these are three men's lives</p> <p>13 that you about to set free, that are about to get</p> <p>14 out and -- Lord Jesus -- oh, man -- yeah, that's</p> <p>15 the way I felt. And I felt pretty good about it.</p> <p>16 That's all I can say.</p> <p>17 Q. Did anyone make any promises to you in exchange</p> <p>18 for your testimony here today?</p> <p>19 A. No.</p> <p>20 Q. Did anyone make any threats to you concerning</p> <p>21 your testimony here today?</p> <p>22 A. No. Nah, nuh-uh.</p> <p>23 MS. WANG: Let's take a quick</p> <p>24 break.</p> <p>25 MR. GILBERT: Well, I just have --</p>
<p style="text-align: right;">Page 130</p> <p>1 Q. Howe?</p> <p>2 A. I believe it is --</p> <p>3 Q. Okay.</p> <p>4 A. -- yeah.</p> <p>5 Q. And what did you tell Attorney Howe and the other</p> <p>6 woman in that conversation?</p> <p>7 A. Yeah, I told him exactly what happened. And I</p> <p>8 told them that I had lied when I was on the</p> <p>9 witness stand. I told them that I did not see</p> <p>10 that crime being committed. I was on the school</p> <p>11 bus when all of this happened and -- yeah, Brian</p> <p>12 Howe, see it came to me, Brian Howe -- and I was</p> <p>13 not on the -- I was not anywhere around the area</p> <p>14 when all of this was committed. I was on the</p> <p>15 school bus on my way home from school when</p> <p>16 everything happened.</p> <p>17 Q. And did you end up signing any statement or</p> <p>18 anything like that?</p> <p>19 A. Yes, I did. I ended up -- I had to write</p> <p>20 everything out in my own handwriting, nobody</p> <p>21 wrote it for me, I wrote it out myself. And once</p> <p>22 I did that, I gave it -- well, we went and had it</p> <p>23 notarized that this is the statement that I made.</p> <p>24 And like they told me, you know, you just write</p> <p>25 down exactly the way things happened and that's</p>	<p style="text-align: right;">Page 132</p> <p>1 THE VIDEOGRAPHER: There's like</p> <p>2 four minutes left on the tape.</p> <p>3 MS. WANG: Oh, okay.</p> <p>4 MR. GILBERT: Okay. I was going</p> <p>5 to ask a couple questions.</p> <p>6 THE VIDEOGRAPHER: Do you want to</p> <p>7 pass your mike?</p> <p>8 MR. GILBERT: I'm sorry.</p> <p>9 MR. FUNK: Wait a second. Are you</p> <p>10 done or -- because I'd just assume her</p> <p>11 finish before you ask your --</p> <p>12 MS. WANG: Well, why don't we do</p> <p>13 this --</p> <p>14 BY MS. WANG:</p> <p>15 Q. All right. I just a couple questions to clear it</p> <p>16 up.</p> <p>17 So, you also testified at Wiley Bridgeman's</p> <p>18 trial; is that right?</p> <p>19 A. Yes.</p> <p>20 Q. And you testified for the state?</p> <p>21 A. Yes.</p> <p>22 Q. Did you testify at Ronnie Bridgeman's trial?</p> <p>23 A. Yes, I testifies.</p> <p>24 Q. And at the hearing last year, did you -- were you</p> <p>25 asked questions about whether Wiley Bridgeman had</p>

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1 anything to do with the crime on May 19th, 1975?
 2 A. Was I asked any questions?
 3 Q. Yes.
 4 A. In the hearing --
 5 Q. Yes.
 6 A. -- that I was at? Yeah, I believe so. I believe
 7 I did, yes.
 8 Q. What did you testify last year about that?
 9 A. I said no, I said no, that he didn't have
 10 anything to do with anything.
 11 Q. Were you asked questions about whether Ronnie
 12 Bridgeman had anything to do with the crime at
 13 the hearing last year?
 14 A. I was asked and I said no. I said no, he didn't
 15 have anything to do with anything.
 16 Q. Was that the truth?
 17 A. That was the truth.
 18 Q. When you were at the hospital having your
 19 conversation with Pastor Singleton --
 20 A. Uh-huh.
 21 Q. -- did you tell Pastor Singleton anything about
 22 whether Wiley or Ronnie had anything to do with
 23 the crime?
 24 A. I told them that they didn't have anything to do
 25 with the crime.

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1 Q. And what about when the Innocence Project came to
 2 talk to you about Ricky, did you -- were you
 3 asked any questions by Mr. Howe about whether
 4 Wiley and Ronnie had anything to do with the
 5 crime?
 6 A. I think I was asked questions and I told them no,
 7 they didn't have -- they didn't have anything to
 8 do with the crime either.
 9 MS. WANG: Okay. I think --
 10 MR. GILBERT: We don't have to
 11 finish. We can take a break --
 12 MS. WANG: Okay. I think we will
 13 take a break now.
 14 MR. FUNK: Do you want to take a
 15 break and confer?
 16 MS. WANG: Yeah.
 17 THE VIDEOGRAPHER: Okay. This is
 18 the end of tape three. Off the record at
 19 12:56.
 20 - - - -
 21 (Off the record.)
 22 - - - -
 23 THE VIDEOGRAPHER: This is tape
 24 four. Back on the record at 1:05.
 25 BY MS. WANG:

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1 Q. All right. Take me back to in or around 2003 or
 2 2006, do you recall seeing Wiley Bridgeman in
 3 person around that time?
 4 A. Yes.
 5 Q. Okay. Do you remember what year it was?
 6 A. I can't remember the exact year. I think it was
 7 -- it might have been 2006 I believe.
 8 Q. And can you tell me where you saw him and what
 9 happened -- strike that.
 10 Can you tell me where you saw him?
 11 A. Sure. At that time I worked for the City Mission
 12 and he came to the City Mission. That's where I
 13 saw him at.
 14 Q. And how did -- did you recognize him or how did
 15 you recognize him?
 16 A. I didn't recognize him at first. He was holding
 17 a conversation with a couple of men in like the
 18 little hallway, like a little corridor.
 19 When the men come into the -- when you come
 20 into the City Mission, you have to come through
 21 the door and give your ID and go through the
 22 metal detector, take everything out of your
 23 pocket, so I worked in the security part.
 24 And so he was telling the other guy that he
 25 had just got out of prison for a crime that he

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1 didn't do. He was in there for like thirty
 2 something years.
 3 And, you know, I'm just listening because I'm
 4 behind the booth. And so he came up, he gave me
 5 his ID and I just looked at it, Wiley Bridgeman.
 6 Wrote it down, gave him his bed number, and he
 7 went in -- you know, they went into the other
 8 room where they would sit and wait 'til they have
 9 like a seven -- a 6:00 o'clock group where
 10 everybody would, you know, get theirs beds called
 11 off and everything. After that they would go to
 12 chapel and then they would eat.
 13 So, during that time they have like a little
 14 circle and they sit and they -- and he began to
 15 tell a little bit about his story about how he
 16 was in prison and how he was wrongfully
 17 incarcerated about -- so, I'm like, wow, I
 18 know -- and I kept looking at him and I thought
 19 about it and I thought, Wiley Bridgeman.
 20 And then when he described where it happened,
 21 and I was like, wow. So, I didn't come to him
 22 that night. You know, I had to work the next
 23 morning anyway.
 24 So, that morning after the 7:00 o'clock group
 25 that they have in the morning, I kind of pulled

<p style="text-align: right;">Page 137</p> <p>1 him aside and I said, you don't know who I am. I 2 said I just found out who you are, and I said I'm 3 Ed Vernon. And I said, man, I'm so sorry, man, 4 and cried on his shoulder and he cried on mine. 5 And he was like, well, he say, man, we've got 6 to go to the news with this, you know, and he's 7 like -- I said, you know, I said I know that you 8 all didn't -- I know that you all didn't do it 9 and I know you didn't do it. 10 And he's like, man, well, you need to go to 11 the news. We've got to go Channel 19 and we've 12 got to go to the papers. And I was like, I said 13 I don't know about that. You know, I just told 14 him I would have to think about that. 15 So, every day he would come to me about that 16 and I'm already -- I went home and I would always 17 tell my wife about it and I would say, you know, 18 it's beginning to be a problem I said, because I 19 don't know if I want to come forth, I said, and 20 do this right now, I said. 21 You know, I'm scared, I'm just, you know, 22 going through so many emotions right now. And so 23 what happened is I end up talking to my 24 supervisor and he said, well, he's here on 25 parole, so as long as you just call his parole</p>	<p style="text-align: right;">Page 139</p> <p>1 EXAMINATION OF EDWARD C. VERNON 2 BY MR. GILBERT: 3 Q. Okay. I just have a question or two. 4 I want to bring you back to the day after the 5 lineup. 6 A. Okay. 7 Q. All right. And I believe you testified that you 8 went down to the station and met with Detective 9 Terpay and Detective Farmer? 10 A. Yes. The day after the lineup, right. 11 Q. And I want -- I don't want to go through the 12 whole thing, and correct me if I'm wrong, I 13 believe you said he was mad at you? 14 A. Yeah. 15 Q. I'm talking about Terpay. 16 A. Yes. 17 Q. Do you know -- and just tell me why he was mad at 18 you. 19 MR. FUNK: Objection. 20 A. Because I didn't pick them out of the lineup. 21 Q. Okay. And did Detective Terpay indicate to you 22 what you had to do to make it good? 23 MR. FUNK: Objection. 24 A. He told me that I had to come forth and just tell 25 what I had stated from the beginning.</p>
<p style="text-align: right;">Page 138</p> <p>1 officer and let her know what's going on and 2 she'll probably take it from there. 3 And that's what I end up doing. That was my 4 first encounter with him. 5 Q. And what did you say to Wiley's parole officer? 6 A. Well, I explained to her who I was and what me 7 and his involvement was together. And she's 8 like, oh, okay. And I said -- I said I don't 9 want to talk to anybody right now about this case 10 or anything and he's just like kind of pressing 11 me and pressing me. 12 So, I know I was off the next two days and 13 when I came back he was gone. I guess they had 14 moved him to another -- what I found out, they 15 had moved him to another facility, so, yeah. 16 Q. Did you ever come forward and talk to any 17 attorneys at that time? 18 A. No. 19 Q. Why not? 20 A. No. Nah. No. Same reason I had stated earlier. 21 Just not wanting to go to jail and also my 22 emotions is just all over the place. And it's 23 like I want to come forth and tell. No, I don't. 24 And scared. 25 - - - -</p>	<p style="text-align: right;">Page 140</p> <p>1 Q. And what you had stated from the beginning was 2 not true, correct? 3 A. It was not true anyway because it was all the 4 information in which they had gave me -- 5 Q. All right. 6 A. -- he had gave me. 7 Q. And that's what you -- and you followed that 8 direction throughout the trial; isn't that right? 9 A. Yes, I did. Yes, I did. 10 MR. GILBERT: Thank you very much. 11 Nothing further. 12 MS. WANG: I have nothing further. 13 MR. FUNK: Okay. So we'll take a 14 lunch break? 15 MR. GILBERT: Yes. 16 MS. WANG: Yes. 17 THE VIDEOGRAPHER: Off the record 18 at 1:13. 19 - - - - 20 (Thereupon, a recess was had.) 21 - - - - 22 THE VIDEOGRAPHER: Okay. We're 23 back on the record at 1:51. 24 - - - - 25 EXAMINATION OF EDWARD VERNON</p>

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1 BY MR. FUNK:
2 Q. Okay. Good afternoon, Mr. Vernon --
3 A. Good afternoon.
4 Q. -- my name is Steve Funk. I introduced myself
5 earlier today.
6 A. Yes.
7 Q. Prior to today have you and I met?
8 A. I don't know.
9 Q. No. Okay. I haven't talked to you prior to
10 today?
11 A. No.
12 Q. Okay. Prior to today's deposition, have you
13 spoken with any of the other attorneys in the
14 room here today?
15 A. Prior to today?
16 Q. Uh-huh.
17 A. Today.
18 Q. Yeah, prior to today -- I know that you spoke
19 with people here today, but --
20 A. Right.
21 Q. -- prior to today have you spoken to anybody, any
22 of the attorneys in the room, either by phone or
23 in person?
24 A. By phone, yes.
25 Q. Okay. And who did you speak with by phone?

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1 A. Liz.
2 THE COURT REPORTER: I'm sorry?
3 THE WITNESS: Liz.
4 Q. Plaintiff's counsel --
5 A. Yes.
6 Q. -- Elizabeth Wang?
7 A. Yes.
8 Q. And did you speak about the substance of your
9 testimony?
10 A. Nuh-uh. She just wanted to know if I got the
11 transcripts that she sent I guess. I don't know.
12 Q. Okay. The transcripts -- what transcripts?
13 A. The same thing that we're doing now from the
14 trial -- from the hearing, that's all.
15 Q. Oh, from the 2014 hearing?
16 A. Yeah.
17 Q. Okay. So, prior to your deposition today, you
18 had an opportunity to review your -- the
19 testimony at the 2014 hearing?
20 A. Well --
21 MS. WANG: Objection. Foundation.
22 Q. I'm sorry?
23 A. Yes.
24 Q. Okay. And so when did you -- when did you get to
25 do that? When did you read the testimony?

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1 A. Just -- I don't know. Last week or something
2 like that.
3 Q. Okay.
4 A. But I have everything in my memory anyway.
5 Q. Okay. Was there anything in the testimony from
6 the 2014 hearing that you saw and thought was
7 wrong?
8 A. Nah.
9 Q. "No"?
10 THE COURT REPORTER: "No"?
11 A. No.
12 Q. Okay. So, what you -- what you testified at the
13 2014 hearing, you believe was correct?
14 A. Yes.
15 Q. Okay. And did you review any other documents in
16 preparation for the deposition?
17 A. No. No.
18 Q. Did you review any of the trial transcripts from
19 the 1970s?
20 A. Nah.
21 Q. Okay. Had you -- other than Ms. Wang, had you
22 spoken with anybody else?
23 A. No.
24 Q. Okay. And then I think you were shown the eight
25 photographs that have been marked as Defendant's

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1 Exhibit 6 --
2 A. Yes.
3 Q. -- here at the deposition today. Prior to the
4 deposition, had you seen any of those photographs
5 before?
6 A. No.
7 Q. Had you been shown any photographs by anyone of
8 City of Cleveland police officers or detectives?
9 A. No.
10 Q. And I think you testified about some affidavits
11 that you had completed recently?
12 A. Yes.
13 Q. Okay. I'm going to just hand you what we're
14 going to mark as Defendant's Exhibit A.
15 - - - -
16 (Thereupon, Defendant's Exhibit A was marked
17 for purposes of identification.)
18 - - - -
19 Q. Do you recognize Defendant's Exhibit A?
20 A. Yes.
21 Q. And you can just look it over. It's a three-page
22 document.
23 A. Yes. This is -- this is what I wrote down.
24 Q. This is your handwriting?
25 A. Yes, it is.

<p style="text-align: right;">Page 145</p> <p>1 Q. Okay. And then at the last page, that's your 2 signature? 3 A. Yes, it is. 4 Q. And then it says that you signed it on April 5th, 5 2014 -- 6 A. Right, yes. 7 Q. -- is that correct? 8 A. Yes. 9 Q. Okay. And John Lassiter was the notary? 10 A. Yes. Uh-huh. 11 Q. And was John Lassiter with the Innocence Project? 12 A. No. 13 Q. Do you know who John Lassiter is? 14 A. It is a -- I think he's a tax -- he does taxes. 15 It's a place on Superior Avenue. 16 Q. Okay. So -- actually I may have misspoke, I 17 think on your affidavit it says 4/5/13 -- 18 A. Uh-huh. 19 Q. -- do you see at the top? 20 A. Yes. 21 Q. Is that a 13 on the last page then as opposed to 22 a 14 where it says "sworn and subscribed by"? 23 A. It looks like they pulled -- yeah. 24 Q. But do you know whether they're both April 2013? 25 A. I don't know. It looks like a three.</p>	<p style="text-align: right;">Page 147</p> <p>1 for purposes of identification.) 2 - - - 3 Q. Show you what's been marked as Exhibit B. 4 A. Okay. 5 Q. Take a look at Exhibit B. Do you recognize this? 6 It's a two page. 7 A. Yes. 8 Q. And then this affidavit was sworn and subscribed 9 on March 17th, 2014? 10 A. Yes, that's correct. 11 Q. Okay. And this affidavit, who prepared this 12 affidavit, Exhibit B? 13 A. This one here was -- this affidavit was done, I 14 want to say -- I want to say it was done over the 15 phone. 16 Q. Yeah. So, do you recall there was a time in 17 which you spoke with two individuals at the 18 Innocence Project over the phone? 19 A. Yeah. I think this was -- if I'm not mistaken, 20 this one might have been re -- like they did a 21 phone interview, but it was like recorded, so 22 that they could type up everything that was being 23 said. 24 Q. Okay. So, then -- and do you recall that they -- 25 after typing this up, they e-mailed it to you?</p>
<p style="text-align: right;">Page 146</p> <p>1 Q. Okay. 2 A. That's all I can say, it looks like a three. 3 Q. And is this -- remind me of the circumstances of 4 how this affidavit was prepared? 5 A. The Innocence Project came to the church -- 6 Q. Okay. 7 A. -- and this is how the affidavit was made. They 8 asked me to make a statement about what happened, 9 to tell the truth about what happened. 10 Q. Okay. So, you filled it out -- 11 A. Yes. 12 Q. -- at the church? 13 A. Yes. I sat in the -- like I said, I sat in the 14 sanctuary at the table. 15 Q. And so you talked about there were two attorneys 16 with the Innocence Project. Were they there? 17 A. Yeah, they were there. 18 Q. Okay. And so did they -- they interviewed you at 19 that time and then after the interview you 20 completed this statement? 21 A. Yes. 22 Q. Okay. And then I'm going to show you there was a 23 second affidavit -- 24 - - - 25 (Thereupon, Defendant's Exhibit B was marked</p>	<p style="text-align: right;">Page 148</p> <p>1 A. They -- 2 MS. WANG: Objection. Foundation. 3 A. They sent this -- if I'm not mistaken, they sent 4 this to me. 5 Q. By mail? 6 A. By either mail or either they delivered it down 7 to the church, one of the two. 8 Q. Okay. So, and did they, in the phone 9 conversations or any of the conversations they 10 had with you, did they tell you to look over the 11 affidavit closely and make any corrections that 12 you needed to make in order to make sure it was 13 accurate? 14 A. Make sure everything was right. 15 Q. So, when you signed this affidavit, you had an 16 opportunity to read it all over -- 17 A. Yes. 18 Q. -- and make sure it was 100 percent correct? 19 A. Right. 20 Q. Okay. And you were comfortable that when you 21 signed this affidavit, it was 100 percent 22 correct? 23 A. Correct. 24 Q. Were there any changes that you saw you needed to 25 make in it?</p>

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1 A. If there were any changes, they were made before,
 2 before any of this was actually sent to me.
 3 Q. Okay.
 4 A. Okay.
 5 Q. So, at the -- by the time that you actually
 6 signed it and had it sworn in front of a notary,
 7 you had verified that it was 100 percent correct?
 8 A. That's correct.
 9 Q. Okay. And then did you understand that this was
 10 going to be -- this affidavit was going to be
 11 submitted to the court?
 12 A. Yes.
 13 Q. For purposes of seeking relief from the court on
 14 behalf of Ricky Jackson?
 15 A. Yes.
 16 Q. So, you knew it was pretty important?
 17 A. Yes. Well, actually both of them were pretty
 18 important.
 19 Q. Right. Okay. Other than these two affidavits,
 20 are you aware of any other -- and I'm talking
 21 about since 2006, you talked about your
 22 conversation with Wiley Bridgeman, since 2006 are
 23 you aware of any other written statements that
 24 you would have reviewed or signed other than
 25 these two affidavits, Exhibit A and B?

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1 A. Before 2006?
 2 Q. No, since 2006.
 3 A. Since, no.
 4 Q. Okay. Now, you talked about Brian Howe. Do you
 5 recognize the name of a John at the Innocence
 6 Project?
 7 A. "Joan"?
 8 Q. "John". Do you know a John?
 9 A. Possibility.
 10 Q. You don't recall one way or the other?
 11 A. I remember a Brian and I think her name was Joan.
 12 Q. I'm sorry who?
 13 A. Joan.
 14 Q. "Joan"?
 15 A. Yeah.
 16 Q. J-o-a-n?
 17 A. I think.
 18 Q. What about a Sierra?
 19 A. Yeah, I remember Sierra.
 20 Q. Okay. And who -- what would be the circumstances
 21 of speaking with Sierra?
 22 A. Sierra was with Brian. They were like -- yeah.
 23 Q. And what about Joan?
 24 A. I think Joan -- I don't know. I don't know. She
 25 was like somebody who was upcoming in the

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1 Innocence Project as a lawyer. I'm not sure.
 2 Q. Like a younger intern type?
 3 A. Yeah, something like that.
 4 Q. So, when you had your phone conversation, who
 5 would that phone conversation have been with?
 6 The one in which you discussed this affidavit,
 7 Exhibit B.
 8 A. I'm not exactly sure --
 9 Q. Okay.
 10 A. -- okay.
 11 Q. Was one of them Brian?
 12 A. Possibility.
 13 Q. Okay. Okay. I have some kind of background
 14 questions, and they may be personal, I just want
 15 to make sure that I'm just asking you to get
 16 general information.
 17 Your mom's name?
 18 A. Sue, Sue Vernon.
 19 Q. Sue Vernon?
 20 A. Uh-huh.
 21 Q. And you said that she was sick in the 1970s. Is
 22 she still alive?
 23 A. No, she died in 1990.
 24 Q. 1990?
 25 A. Uh-huh.

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1 Q. And then your dad's name?
 2 A. James Cannon.
 3 THE COURT REPORTER: James what?
 4 THE WITNESS: Cannon.
 5 Q. C-a-n-n-o-n?
 6 A. Uh-huh.
 7 THE COURT REPORTER: "Yes"?
 8 Q. Yes?
 9 A. Yes.
 10 Q. And back in 1975 when these events were
 11 happening, you said that he lived with you?
 12 A. Yes.
 13 Q. And was he living with you I mean all the time,
 14 continuously, in 1975?
 15 A. Yes.
 16 Q. Okay. Was he working in 1975?
 17 A. Yes.
 18 Q. What was he doing?
 19 A. He worked at Franklin Tire Shop.
 20 Q. Okay. So, and he would work what, 9:00 to 5:00
 21 or --
 22 A. I don't know his exact hours. I know he --
 23 Q. Sometime?
 24 A. Yeah.
 25 Q. He didn't have any set hours?

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1 A. No, he had set hours, but I can't tell you like
 2 he worked from this time to this time. All I
 3 know he left in the morning.
 4 Q. I guess what I was trying to get at is would he
 5 be there in the evenings?
 6 A. Sometimes. Maybe very -- maybe two occasions he
 7 was there in the evening maybe, maybe. Other
 8 than that he was out probably doing his thing
 9 what he do.
 10 Q. You mean working?
 11 A. If that's the case, but I know he worked in the
 12 daytime, that's all I can tell you. Now,
 13 nighttime, in the evenings, you know, he did what
 14 he did, you know.
 15 Q. Okay. What -- so, had you grown up in that
 16 house, like you lived there for 12 years at the
 17 time --
 18 A. No.
 19 Q. -- that this happened?
 20 A. No.
 21 Q. When did you first move to the location on -- I
 22 forget the address -- Frank and 108th?
 23 A. Probably in, I want to say '74. After I
 24 graduated from sixth grade, yes. So, it was
 25 something like that, yeah.

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1 Q. Okay. Now, I want to ask you about the school
 2 buses.
 3 A. Uh-huh.
 4 Q. Now, I think you testified that you came home on
 5 a school bus?
 6 A. Yes.
 7 Q. Now, was that like a regular school bus, the
 8 yellow school bus or was that --
 9 A. No.
 10 Q. Can you describe what the nature of the bus was?
 11 A. City Transit --
 12 Q. Okay. So --
 13 A. -- CTS.
 14 Q. So, it was -- and it was a City Transit bus that
 15 only had schoolchildren on it?
 16 A. Yes.
 17 Q. And there was another bus that was called the 50?
 18 A. 50 Miles.
 19 Q. 50 Miles?
 20 A. 50 Miles, yes.
 21 Q. And what was that bus?
 22 MS. WANG: Objection. Form.
 23 Q. What was the 50 Miles bus?
 24 A. That was a city bus, but it was for anybody that
 25 wanted to catch it.

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1 Q. Okay. And so there would be sometimes where --
 2 A. Some of the school kids we was still -- they
 3 would catch the 50 Miles.
 4 Q. Okay. So, there was a regular -- what was the --
 5 was there a bus number that you would use for the
 6 -- you don't recall?
 7 A. No. It was just --
 8 Q. Okay.
 9 A. -- we knew the school bus. And, you know, the 50
 10 Miles would stop at the same bus stop that the
 11 school bus stops. Some kids got on the school
 12 bus, some kids caught the 50 Miles bus.
 13 Q. Okay. Is that -- but there are two different
 14 buses?
 15 A. They were -- they were both city buses, but they
 16 -- one had the name 50 Miles on it the other one
 17 had school bus on it.
 18 Q. I see. Okay. And the 50 Miles bus, would there
 19 be other people on the bus other than
 20 schoolchildren?
 21 MS. WANG: Objection. Asked and
 22 answered.
 23 A. Yeah. I said yes the first time, yeah, uh-huh,
 24 with that, yes, 50 Miles, uh-huh. It was kind of
 25 like --

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1 MR. FUNK: Okay. You can state an
 2 objection, but I don't think you can give
 3 further -- just state objection, you don't
 4 need to state more beyond that.
 5 MS. WANG: No, I think I'm
 6 required to state the basis, but not a
 7 speaking -- it's not a speaking objection.
 8 I have to state the basis; otherwise, all
 9 your objections are assumed to be relevant.
 10 MR. FUNK: I don't think so. I
 11 think you can just state objection.
 12 MS. GILBERT: Don't look at me.
 13 MS. WANG: That's --
 14 MR. FUNK: Under the local rules
 15 --
 16 MS. WANG: -- absolutely not the
 17 case that I cannot plead the basis of my
 18 objection. As long as I don't make a
 19 speaking objection -- I have not, I can
 20 state the basis of my objection.
 21 MR. FUNK: I'm going to object to
 22 that.
 23 BY MR. FUNK:
 24 Q. Okay. So, the 50 Miles bus, did that bus take a
 25 different route than the other bus?

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1 A. It primarily took the same route only the school
 2 bus came after he got up 116th to Continental.
 3 It would come down Continental and it would make
 4 a left turn behind Audubon. The 50 Miles kept
 5 going up 116th.
 6 Q. Only. Would there be an occasion for the 50
 7 Miles bus to go --
 8 A. No. Not --
 9 Q. -- on Fairhill?
 10 A. On Fairhill, that's the way it came up.
 11 Q. Okay.
 12 A. So, this is Fairhill (indicating) --
 13 Q. Okay. So, we're showing you Exhibit -- I'm going
 14 to show you Plaintiff's Exhibit 2.
 15 A. Right. This is Fairhill (indicating), so this is
 16 the bus stop, remember I pointed out. The 50
 17 Miles come the same way, it makes that turn. It
 18 goes up Fairhill, continues up Fairhill, and when
 19 it gets up to the top of Fairhill, which is by
 20 the reservoir, it makes the right going down
 21 116th, the same way the school bus would go.
 22 Q. Okay. So the 50 Miles bus would come west on
 23 Cedar, take a left onto Fairhill --
 24 A. Yes.
 25 Q. -- go south on Fairhill, which would be uphill?

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1 A. Yes.
 2 Q. And so it would go by the store, correct?
 3 A. Yeah. Well, it had to stop there. It was a bus
 4 stop there. 50 Miles, the 48A, stopped right
 5 there.
 6 Q. Okay. So, if you can mark with a blue pen where
 7 the 50 Miles bus would stop.
 8 A. The same spot. The same spot.
 9 Q. So maybe mark an X.
 10 A. (Indicating).
 11 Q. Okay. So, essentially where you had previously
 12 marked the stop and where you got on the school
 13 bus, the 50 Miles bus would stop at that same
 14 spot?
 15 A. Yes, uh-huh.
 16 Q. Okay. Now, and on occasion you would take the 50
 17 Miles bus home?
 18 A. No.
 19 Q. No?
 20 A. If it was, it was very, very seldom --
 21 Q. Okay.
 22 A. -- very seldom.
 23 Q. In the course of the -- in the testimony in the
 24 1970s, did you testify that you took the 50 Miles
 25 bus?

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1 MS. WANG: Objection. Foundation.
 2 A. That's what I said that I took the 50 Miles bus
 3 but actually I didn't take the 50 Miles bus.
 4 Q. Okay. Now, you testified about your
 5 conversations with Tommy Hall on May 19th --
 6 A. Yes.
 7 Q. -- 1975. Was Tommy Hall in the same grade as
 8 you?
 9 A. No. Tommy Hall is, if I'm not mistaken, about a
 10 year older than I am --
 11 Q. Okay.
 12 A. -- so, I think he was like either -- he was
 13 either a year older than me or two, but he was in
 14 either the eighth grade or the ninth grade. He
 15 wasn't in the seventh grade with me.
 16 Q. Okay. So, you were in the seventh grade, Tommy
 17 Hall was either in the eighth or ninth grade?
 18 A. Yes.
 19 Q. But he would have gone to Audubon Junior High
 20 School as well?
 21 A. Yes.
 22 Q. Okay. And so on that day, May 19th, 1975, were
 23 you and Tommy Hall on the same bus?
 24 A. Not that -- since the whole thing, not that I can
 25 recall him being on the bus. There's a lot of

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1 students that were on the bus.
 2 Q. I see. You weren't sitting next to him or
 3 anything like that?
 4 A. Occasionally like --
 5 Q. I'm talking about on May 19th.
 6 A. On May 19th? I can't remember. I don't know who
 7 all I was sitting next to on that day.
 8 Q. Okay. So, he could have been on the same bus
 9 with you, you just don't know one way or the
 10 other?
 11 A. Right, he could have been on it, right.
 12 Q. So, when would you have first seen then Tommy
 13 Hall on that day? Is that as you were walking
 14 home or explain to me when you would have
 15 first --
 16 A. As I was walking home --
 17 Q. Okay.
 18 A. -- from coming up -- coming back from where we
 19 were.
 20 - - - -
 21 (Thereupon, Defendant's Exhibit C was marked
 22 for purposes of identification.)
 23 - - - -
 24 Q. Just show you what's been marked as Exhibit C.
 25 This is a photograph that was an Exhibit from the

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1 1975 -- one of the 1975 trials.
 2 Do you recognize this as being an accurate
 3 picture of the, of the corner there at Fairhill
 4 and Petraca where the Fairmount Cut-Rate store
 5 was located?
 6 A. Yes. That's correct.
 7 - - - -
 8 (Thereupon, Defendant's Exhibit D was marked
 9 for purposes of identification.)
 10 - - - -
 11 Q. And do you recognize Exhibit D? I just handed
 12 you another photograph.
 13 A. Yes, I do.
 14 Q. And I think you testified that you came up and
 15 saw the white man lying on the pavement?
 16 A. Yes.
 17 Q. Is this how he would have looked when you first
 18 saw him?
 19 A. Yes. Well, he was laying there, but he was --
 20 yeah, gasping for air, yes.
 21 Q. And as I understand it, the children on the
 22 school bus who would have been the first ones to
 23 see him --
 24 A. Uh-huh.
 25 Q. -- there. Was there anybody there while you --

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1 looking at him when you first arrived besides the
 2 schoolchildren?
 3 A. Not that I can recall.
 4 Q. Okay. And when you were standing there looking,
 5 did you see Tommy Hall in the group?
 6 A. No.
 7 Q. When did you first see Tommy Hall then on that
 8 day?
 9 A. On our way back from the store.
 10 Q. Okay. And so where did he live in connection
 11 with you -- or actually you already marked that.
 12 I'm sorry.
 13 A. Yes.
 14 Q. So, did you start walking back with him or did
 15 you see him on your way walking back?
 16 A. Started back walking with him when I left, he
 17 left, so I don't know if he was already up there
 18 or did he come up there when everybody else
 19 started coming up? I'm not exactly sure. But I
 20 know that when I got ready to leave, he left at
 21 the same time.
 22 Q. Okay. Now, at that point you said you also saw
 23 Mrs. Robinson?
 24 A. Yeah. We was all still standing around when the
 25 police came and they went into the store. And

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1 the ambulance had came and, you know, they pushed
 2 us back a little further away from the little
 3 area, and then she came, yeah, she came out,
 4 uh-huh.
 5 Q. And you knew Mrs. Robinson prior to that, right?
 6 A. Yes.
 7 Q. And you knew her husband?
 8 A. Yes.
 9 Q. Did the Robinsons -- would the Robinsons have
 10 known other members of your family?
 11 A. Yes.
 12 Q. So, your mother and your father?
 13 A. Yes.
 14 Q. And you had -- and how long would you say that
 15 you were at the scene there before you walked
 16 away with Tommy Hall?
 17 A. I want to say about -- I don't know. Maybe about
 18 an hour or 30 -- about 30 minutes to an hour.
 19 Q. Okay. And at that time, did you see Charles
 20 Loper at the scene?
 21 A. I don't recall Charles Loper, Mr. Loper as he's
 22 known, but Mr. Loper stayed on the side over here
 23 (indicating) next to the store.
 24 Q. Right. So Mr. Loper lived in some kind of
 25 residential building next to the store?

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1 A. It's connected, yeah. It was kind of --
 2 Q. Is it like an apartment?
 3 A. No, it was a house.
 4 Q. Oh, it was a house.
 5 A. It was a two-family house, uh-huh. But the way
 6 that it's made, it's -- this building is kind
 7 of -- it was like -- like they were like that
 8 (indicating). So, the house sit back from the
 9 corner of this building, I want to say, I don't
 10 know, about 10 or 12 feet back.
 11 Q. So, 10 or 12 feet back, but then it was still
 12 connected to the actual building that also -- the
 13 building that housed the drugstore, or the
 14 Fairmount Cut-Rate, store?
 15 A. Yes.
 16 Q. And do you know who else lived there besides
 17 Mr. Roper -- Mr. Loper, I'm sorry?
 18 A. I can't remember the lady that -- the lady that
 19 stayed downstairs' name, I can't remember her
 20 name.
 21 Q. The Robinsons didn't live there?
 22 A. No, the Robinsons didn't live there --
 23 Q. Okay.
 24 A. -- no.
 25 Q. Okay. So, you're walking down the street with

<p style="text-align: right;">Page 165</p> <p>1 Tommy Hall, and you've already testified to this, 2 so just recalling, he said I know who did it -- 3 A. Uh-huh. 4 Q. -- and then he gave you the names of Ricky, Buddy 5 and Bitsey? 6 A. Yes. 7 Q. And at that time you knew who Ricky, Buddy and 8 Bitsey were? 9 A. Yes. 10 Q. You knew when he said Ricky, that that was Ricky 11 Jackson? 12 A. Yes. 13 Q. And you knew when he said Buddy, that that was 14 Ronny Bridgeman? 15 A. I knew Ricky Jackson because the Jackson name, 16 like I said, I delivered papers, so everybody, 17 back then everybody has cards, so you'd know who 18 you delivered papers to, so -- 19 Q. And -- 20 A. -- and I know that -- I knew that where Bitsey 21 and Buddy stay, the Bridgemans, those were the 22 Bridgemans, that's the family of the Bridgemans. 23 So, now as far as me knowing their full name? 24 No. 25 Q. Okay. But you knew that when he said Buddy and</p>	<p style="text-align: right;">Page 167</p> <p>1 Q. Okay. Do you recall where Ricky Jackson lived on 2 Arthur Avenue? 3 A. It's not, it's not long enough to pick up -- to 4 pick the street out. 5 Q. Okay. 6 A. Let's see -- 7 Q. Hold on -- 8 A. -- let me see. All right. Okay. 9 Q. Maybe you can mark with an X with this blue pen 10 just to differentiate. And actually just to 11 differentiate, if you can mark an X for where 12 Ricky Jackson lives and then an O for where the 13 Bridgemans lived, or a circle. 14 A. (Indicating). See, this is what I'm saying about 15 Arthur. Because Arthur is much wider, so if I 16 put a mark up over here (indicating), it's going 17 to look like it's closer to Frank Avenue, which 18 it's not. 19 Q. Okay. But don't mark it yet, maybe you can 20 explain what you mean first. 21 A. Arthur is -- it's a wider street. So, one stayed 22 on the right-hand side, the other one stayed on 23 the left-hand side. You have two rows of houses, 24 so -- 25 Q. So, Arthur Avenue you'll have a row of houses on</p>
<p style="text-align: right;">Page 166</p> <p>1 Bitsey, that that was the Bridgemans? 2 A. I knew who he was talking about. 3 Q. And you knew where -- you knew where Ricky 4 Jackson lived? 5 A. Yes. 6 Q. And you knew where the Bridgemans lived? 7 A. Yes. 8 Q. And so you knew that on May 19th, 1975 based upon 9 -- when -- after -- after you had that 10 conversation with Tommy Hall, you knew who those 11 three people were and where they lived? 12 A. Yes. 13 Q. Okay. 14 A. Prior to that. 15 Q. Okay. I think it's Exhibit 4. Oh, I see, this 16 is all kept together. 17 So, you had previously marked on Exhibit 4 18 where Tommy Hall lived? 19 A. Uh-huh, yes. 20 Q. Are you able to point out -- and as I understand 21 it, Ricky Jackson at that time lived on Arthur 22 Avenue? 23 A. They both did. 24 Q. Ricky Jackson -- 25 A. Everybody stayed on Arthur Avenue.</p>	<p style="text-align: right;">Page 168</p> <p>1 one side of the street? 2 A. On each side of the street, right. 3 Q. Right. So, if one lived on the south side and 4 one lived on the north side? 5 A. If you coming from 105 and you turn up Arthur, 6 Ricky and them stayed on the right-hand side. 7 The Bridgemans and them stayed on the left-hand 8 side. 9 Q. Okay. So, if -- and they stayed somewhere 10 between 105th and 107th? 11 A. No. They stayed -- let's see, there's a corner 12 store here (indicating), right there. They 13 stayed maybe one, two, three, four, five, six -- 14 maybe seven houses up. 15 Q. And when you say "they", who are you referring 16 to? 17 A. Ricky Jackson, the Jacksons, about right here 18 (indicating). And like I said, one, two, three, 19 four, five, six -- 20 Q. Don't mark on it yet. 21 A. No, I ain't. That's it. So -- 22 Q. So, you pointed out where Ricky Jackson stayed. 23 Could you put an X there. 24 A. (Indicating). 25 Q. Okay. So, they kind of lived across the street</p>

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1 from each other; is that fair to say?
 2 A. Not across the street, but diagonally across the
 3 street.
 4 Q. Okay.
 5 A. Because across the street would have meant that
 6 they were like that (indicating), and it wasn't
 7 like that. It was like one, two, three -- about
 8 four houses down. And the way that the Jacksons
 9 and them house sat, it sat in the -- it sat in
 10 the rear. It sat in the rear. It didn't sit off
 11 like, like up front on the -- like on the curb
 12 part.
 13 Q. Okay. It was back a little bit from the street?
 14 A. Yes.
 15 Q. Was there an alley there or something?
 16 A. No.
 17 Q. So, both of their houses faced onto Arthur?
 18 A. Well, both of them houses were on Arthur.
 19 Q. Okay.
 20 A. All right. And both of them houses -- like I
 21 said, Ricky Jackson's and them house sat like
 22 (indicating) the Lopers and them house sat, it
 23 sat kind of back off of the street, but it was
 24 still considered Arthur.
 25 Q. Okay. And I think you testified that you had

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1 delivered papers to both of their houses?
 2 A. Yes.
 3 Q. And that you knew Ricky Jackson's family?
 4 A. Yeah.
 5 Q. You knew his -- did he have -- he had a brother?
 6 A. He had several brothers.
 7 Q. I mean a younger brother that was --
 8 A. My age.
 9 Q. -- around your age?
 10 A. Uh-huh.
 11 Q. And you would see Ricky Jackson and the Bridgeman
 12 brothers in the neighborhood?
 13 A. Yeah. I lived in the neighborhood.
 14 Q. I mean, yeah, you lived in that neighborhood, so
 15 you would see them around the neighborhood, it
 16 was not just from delivering papers?
 17 A. Right. That's correct.
 18 Q. Now, did -- when you -- after you went home, you
 19 said you went back to the scene?
 20 A. Yes.
 21 Q. At any point -- and then you were back at the
 22 crowd a second time -- at any point during the
 23 time you were at the scene at the Cut-Rate --
 24 Fairmount Cut-Rate either before or after, at any
 25 point did you see either Ronnie or Wiley

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1 Bridgeman at the scene?
 2 A. I really didn't pay that much attention per --
 3 you know to, per se, to be particular with those
 4 three people that I say I saw them. There was
 5 enormous people.
 6 Q. Okay. So, you can't say whether you saw them or
 7 not?
 8 A. That's right.
 9 Q. Do you recall this coming up at any of the 1970s
 10 trials --
 11 A. Do I remember that being brought up? Yes, I do.
 12 Q. That you had --
 13 A. And I remember them asking me and I was stated in
 14 saying that they were in the crowd.
 15 Q. And is that just something that --
 16 A. That was given to me, yes, it was. I didn't
 17 actually see them.
 18 Q. Did your father ever come to the scene with you?
 19 A. I don't remember him coming up there. He might
 20 have did come up there.
 21 Q. You don't recall?
 22 A. Him coming up there to the scene?
 23 Q. Uh-huh.
 24 A. He might have came up there. I mean, there was a
 25 lot of people up there.

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1 Q. At some point did you speak with -- on that day
 2 was there any point in which your father took you
 3 to the hospital to get a shot?
 4 A. On that particular day?
 5 Q. Yeah.
 6 A. I had to get -- I came home to get -- yeah, I had
 7 to go home to get a shot, yeah.
 8 Q. So when would you have gotten the shot?
 9 A. I don't know.
 10 Q. It was after the first -- when you went home
 11 after seeing it the first time?
 12 A. I can't remember if it was the first time or the
 13 second time, but I remember getting the shot,
 14 yes.
 15 Q. And it was your father that took you to the
 16 hospital to get a shot?
 17 A. It was to a clinic, it wasn't no hospital.
 18 Q. To a clinic?
 19 A. Yeah.
 20 Q. And do you recall what time of day that would
 21 have been?
 22 A. It was -- it was still daytime.
 23 Q. On May 19th did you tell your mother or your
 24 father that you knew -- or that you had told the
 25 police that you had -- that you knew who did

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1 the --
 2 A. No. No.
 3 Q. Now, was there a point in time in which you would
 4 have spoken, or that you got a call from Robert
 5 Robinson, the storeowner?
 6 A. I don't remember, but probably. I'm not sure,
 7 but I probably did. I'm not sure.
 8 Q. But do you remember speaking with Mr. Robinson?
 9 MS. WANG: Objection. Asked and
 10 answered.
 11 A. I can't remember offhand.
 12 Q. Do you remember that coming up during your
 13 testimony at the trial, that you spoke with
 14 Mr. Robinson?
 15 A. Yeah, I was asked that.
 16 Q. And you testified that you did, had spoken to
 17 him?
 18 A. I testified that, if I'm not mistaken, I
 19 testified that I did I believe, so --
 20 Q. Okay. And was that true?
 21 A. No.
 22 Q. You had not spoken with Mr. Robinson?
 23 A. I had not spoken to him.
 24 Q. Now, in terms of your -- you talked -- you
 25 previously testified about certain times in which

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1 you did certain things. Do you recall -- I know
 2 you testified that the lineup was on May 25th and
 3 the date of the, of the murder was on May 19th.
 4 Do you recall that?
 5 A. Yes.
 6 Q. Okay. May 19th was a Monday --
 7 A. Yes.
 8 Q. -- is that correct?
 9 A. Yes.
 10 Q. So May 25th would have been a Sunday.
 11 A. Yes.
 12 Q. All right. With respect to the dates of when
 13 things happened in the testimony you gave
 14 earlier, are you confident of what -- that those
 15 dates happened in the way that it did?
 16 A. Yes.
 17 Q. Okay. Now, you testified about the initial
 18 meeting with the Detective Terpay and Farmer.
 19 That they came to your house?
 20 A. Yes.
 21 Q. All right. And your mother was home at that
 22 time?
 23 A. Yes.
 24 Q. And was your father home at that time?
 25 A. He probably could have been.

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1 Q. And when the detectives came to your house prior
 2 to that, had you said anything to your mother
 3 about the fact that you had told the police that
 4 you had --
 5 A. Yes.
 6 Q. -- you knew who did it? I'm sorry?
 7 A. Yes.
 8 Q. What did you tell your mother?
 9 A. I told her that I had told them who did it. And
 10 she's like, well, how you know? I said because
 11 Tommy Hall told me who did it and I told the
 12 police that day. And she was like, but you
 13 didn't see it. I was like no, no, I didn't see
 14 it.
 15 Q. Okay. So, when the detectives came to see you to
 16 speak with you, at what point did you tell the
 17 detectives that you had witnessed the murder?
 18 A. I didn't tell them that I witnessed the murder
 19 that day. I told them --
 20 Q. That you knew --
 21 A. -- what I had seen, what I had known that Tommy
 22 Hall had told me.
 23 Q. And did you tell them that you had witnessed the
 24 crime?
 25 A. Not at that day. Not at that time.

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1 Q. When did you tell them that you witnessed it?
 2 MS. WANG: Objection. Foundation.
 3 A. I never told them that I witnessed it. As I
 4 stated earlier today and even in my testimony,
 5 that everything was given to me and presented to
 6 me.
 7 Q. So, you told the officers that you had -- who the
 8 people were --
 9 A. Right.
 10 Q. -- Ricky, Bitsey and --
 11 A. Yes.
 12 Q. Okay. They did not suggest that to you?
 13 A. Who? The --
 14 Q. They didn't tell you who the people were?
 15 A. No. You talking about the officers, right?
 16 Q. Yeah. Detective -- I'm talking about the very
 17 first conversation you had.
 18 A. No.
 19 Q. You were the one that said that Ricky Jackson was
 20 the shooter, right?
 21 A. I said Ricky, not Jackson.
 22 Q. You said Ricky.
 23 A. I didn't put any last names with none of the
 24 people.
 25 Q. Okay. But you were the one that said that Ricky

<p style="text-align: right;">Page 177</p> <p>1 was the shooter?</p> <p>2 A. Yes.</p> <p>3 Q. And you were the one that said that Bitsey -- and</p> <p>4 I get them confused too -- that Buddy was the</p> <p>5 person that was driving the car?</p> <p>6 A. These are all the things that -- yes -- that were</p> <p>7 like I said before, that were hand given to me.</p> <p>8 It wasn't something that I sat up and said, you</p> <p>9 know, Ricky was the shooter, Bitsey was the one</p> <p>10 that hit him over the head, Buddy was the one</p> <p>11 that was driving. No.</p> <p>12 Q. But you -- but you were the one that identified</p> <p>13 these three individuals?</p> <p>14 A. I was the one that said that these are the three</p> <p>15 individuals --</p> <p>16 Q. Okay.</p> <p>17 A. -- who did the -- who had committed the crime.</p> <p>18 As far as identifying them, I never identified</p> <p>19 them in the lineup.</p> <p>20 Q. Okay. Then the second time that you spoke with</p> <p>21 the detectives they took you down just to look at</p> <p>22 photographs?</p> <p>23 A. Took me down to look at photographs.</p> <p>24 Q. Okay. And at that time when they came to pick</p> <p>25 you up at your house, your mother was also at</p>	<p style="text-align: right;">Page 179</p> <p>1 Q. And you, in fact, after being there for several</p> <p>2 hours did not identify anybody in the</p> <p>3 photographs?</p> <p>4 A. That's correct.</p> <p>5 Q. And that's because you didn't actually see Ricky</p> <p>6 or Buddy or Bitsey in any of the photographs?</p> <p>7 A. That's correct.</p> <p>8 Q. So, when you were looking through the</p> <p>9 photographs, you were just looking to see if you</p> <p>10 could see Ricky, Buddy or Bitsey in the</p> <p>11 photographs, right?</p> <p>12 MS. WANG: Objection. Foundation.</p> <p>13 A. That's correct.</p> <p>14 Q. Okay. So, then you testified about the time in</p> <p>15 which you drove in their car to point out where</p> <p>16 Ricky, Buddy and Bitsey lived. Do you recall</p> <p>17 that testimony?</p> <p>18 A. Yes.</p> <p>19 Q. Is it -- now, you said that was on a different</p> <p>20 day. Is it possible that that could have been on</p> <p>21 the same day as when you reviewed the</p> <p>22 photographs?</p> <p>23 A. No.</p> <p>24 Q. You recall it being a different day?</p> <p>25 A. I recall it being a different day.</p>
<p style="text-align: right;">Page 178</p> <p>1 home at that time?</p> <p>2 A. Yes, she was.</p> <p>3 Q. And was your father at home?</p> <p>4 A. Like I said, he probably was. It's hard to keep</p> <p>5 up with him and when he was home --</p> <p>6 Q. Okay.</p> <p>7 A. -- and when he wasn't home.</p> <p>8 Q. Okay. At that point had you -- did you tell your</p> <p>9 mom that you had told the police that Ricky,</p> <p>10 Bitsey and Buddy had committed the crime?</p> <p>11 A. I told her that I had gave them the name. I</p> <p>12 didn't told them -- I didn't tell her that they</p> <p>13 had committed the crime or anything like that.</p> <p>14 Q. Okay. And the police officers then took you to</p> <p>15 the station to look at photographs, right? You</p> <p>16 testified to this earlier I'm just --</p> <p>17 A. The detectives, yes.</p> <p>18 Q. At that point in time, you looked through a large</p> <p>19 number of photographs?</p> <p>20 A. Yes.</p> <p>21 Q. And the officers were not pointing out any</p> <p>22 particular photographs to you or trying to</p> <p>23 suggest to you anything regarding the</p> <p>24 photographs?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 180</p> <p>1 Q. Okay. But you said that that was just a short</p> <p>2 trip, that you were just simply showing them</p> <p>3 where they lived?</p> <p>4 A. That's correct.</p> <p>5 Q. You didn't have to look for it, you knew where</p> <p>6 they lived?</p> <p>7 A. That's correct.</p> <p>8 Q. And do you recall who was driving?</p> <p>9 A. Yes. Detective Terpay.</p> <p>10 Q. Okay. So, let's see, if that was on the third</p> <p>11 day, if you interviewed with them on Tuesday and</p> <p>12 then looked at the photographs on Wednesday, and</p> <p>13 then you would have done pointing out the cars on</p> <p>14 Thursday?</p> <p>15 A. I don't know if it was Thursday. It could have</p> <p>16 been, it could have been Friday, it could have</p> <p>17 been Saturday. I'm not exactly sure which day it</p> <p>18 was.</p> <p>19 Q. And what about the day that you looked at the</p> <p>20 photographs, could that have been Thursday?</p> <p>21 A. No. The photographs were like not all in one</p> <p>22 day. It's not like I sat down there and reviewed</p> <p>23 all these photographs in one day. I reviewed</p> <p>24 some, came back the next day and reviewed some</p> <p>25 more, so.</p>

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1 Q. Now, so the lineup then was on Sunday?
 2 A. That's correct.
 3 Q. So, prior to the lineup, you had been with the
 4 police on three different -- police detectives on
 5 three different occasions?
 6 A. Or more.
 7 Q. And prior to the lineup, you already knew who the
 8 people were, or you had told them the names of
 9 the people who had actually committed the
 10 crimes -- or you had told them the names of
 11 Ricky, Buddy and Bitsey?
 12 A. That's correct.
 13 Q. You told them where they lived?
 14 A. That's correct.
 15 Q. And at any point prior to -- okay. So, when the
 16 lineup occurs on Sunday, they picked you up at
 17 your house?
 18 A. That's correct.
 19 Q. And your mother was there then?
 20 A. That's correct.
 21 Q. And did your mother know that you were going down
 22 for the purposes of doing a lineup?
 23 A. That's what they stated to her, yes.
 24 Q. Okay. And at any point did you or your mother
 25 tell the detectives that you did not witness the

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1 crime?
 2 A. No.
 3 THE VIDEOGRAPHER: I've got to
 4 change the tape.
 5 MR. FUNK: Okay.
 6 THE VIDEOGRAPHER: End of tape
 7 four. Off the record at 2:44.
 8 - - - -
 9 (Off the record.)
 10 - - - -
 11 THE VIDEOGRAPHER: This is tape
 12 five. Back on the record at 2:47.
 13 BY MR. FUNK:
 14 Q. Okay. Mr. Vernon, when the police officers
 15 picked you up for the lineup, was your father at
 16 home at that time?
 17 A. I don't know. I'm not sure. I don't think so.
 18 I'm not sure.
 19 Q. Okay. Prior to the lineup, had you told your
 20 father anything about your involvement with the
 21 police?
 22 A. He knew. He knew everything.
 23 Q. What did you tell him?
 24 A. Well, it wasn't so much what I told him, it was
 25 so much what my mother told him. Like I said,

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1 you know, I was still in school, so about -- they
 2 had their talks, so --
 3 Q. Okay. So, both your mother and your father knew
 4 prior to the lineup that you had not witnessed
 5 the crime?
 6 A. I know my mother did.
 7 Q. Okay. And what do you think your father knew?
 8 A. Probably what my mother had told him.
 9 Q. You just don't know for sure?
 10 A. Right.
 11 Q. Okay. So, when you went to the -- I think you
 12 said the two detectives picked you up --
 13 A. Yes.
 14 Q. -- for the lineup. When you went to the lineup,
 15 did -- were there -- who was -- you were on one
 16 side of either a glass or a screen?
 17 A. Yes.
 18 Q. Okay. And the suspects were on the other side?
 19 A. That's correct.
 20 Q. And on your side of the screen, was it just the
 21 two detectives standing with you?
 22 A. If I can recall, yes.
 23 Q. Okay. And the same two that picked you up?
 24 A. The same two that brought me down to the station,
 25 yes.

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1 Q. So, the person that asked the questions, do you
 2 recognize anyone, that was somebody on the other
 3 side of the screen or would that have been the
 4 two with you?
 5 A. I know that it was somebody on the other side
 6 that gave like commands and made them turn this
 7 way, turn that way, and stuff like that --
 8 Q. Right. Okay.
 9 A. -- and that's -- but where I was, I know the two
 10 detectives were in there and they just told me to
 11 take my time and look at them and make sure that,
 12 you know, I identified the right people.
 13 Q. Okay. And so when you looked at the lineup, in
 14 the lineup -- Ricky Jackson was in the lineup,
 15 right?
 16 A. Ricky Jackson was in there.
 17 Q. And Buddy --
 18 A. Wiley Bridgeman, yes, Buddy was in there.
 19 Q. -- was also in there?
 20 A. Yes, he was.
 21 Q. Was Ronnie Bridgeman in the lineup?
 22 A. No.
 23 Q. So, you did -- I'm sorry, let me back up.
 24 So, the officer on the other side of the
 25 screen who was with the suspects, was telling the

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1 suspects to turn right or turn left or --
 2 A. I don't know if it was an officer or whatever --
 3 Q. Yeah.
 4 A. -- all I know it was somebody over there that was
 5 telling them.
 6 Q. Okay. And that was one person?
 7 A. Like I just said, all I know is that they were
 8 telling them to turn this way, turn that way, and
 9 turn back around.
 10 Q. Okay. And --
 11 A. Go ahead.
 12 Q. Did any of the officers on the other side of the
 13 screen with the suspects, or did any officer or
 14 detective on the other side of the screen with
 15 the suspects say anything to you?
 16 A. No. You have to excuse me, I just have to get up
 17 sometimes.
 18 Q. That's okay. We can take a break if you want --
 19 A. No, no --
 20 Q. -- this is not intended to be --
 21 A. -- no. It's just a normal thing. It's a normal
 22 thing. Yeah.
 23 Q. That's okay. Just take your time --
 24 A. It's a normal thing.
 25 Q. -- it's not intended to be --

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1 A. No, it's okay. It's all right. Some things you
 2 just have to deal with in life and this is one of
 3 them.
 4 Q. Okay. So, when you looked at the lineup, you did
 5 recognize Ricky Jackson as being in the lineup?
 6 A. But I didn't rat -- but I didn't identify him,
 7 yeah.
 8 Q. And when you looked at the lineup, you did
 9 recognize Wiley Bridgeman as being in the lineup?
 10 A. Yes, I recognized Buddy in there, yes.
 11 Q. At the time?
 12 A. At the time.
 13 Q. Okay. Now, I want to go to the part where you
 14 went to the other room. Okay? Do you
 15 remember --
 16 A. After I couldn't identify --
 17 Q. -- that testimony?
 18 A. -- yes.
 19 Q. Okay. And I think you testified earlier that
 20 there were two detectives in the room with you?
 21 A. Oh, yes.
 22 Q. I want to point out to you in your affidavit --
 23 A. Uh-huh.
 24 Q. -- could you look at Exhibit B, the typed-written
 25 one.

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1 A. Uh-huh. Yes.
 2 Q. Can you look at paragraph 12. Now, this
 3 affidavit was signed in March of 2014, right?
 4 And you stated at that point a detective there
 5 took me into this other room --
 6 A. Uh-huh.
 7 Q. -- as far as I can remember it was just the two
 8 of us in this room. Do you see that?
 9 A. Uh-huh.
 10 THE COURT REPORTER: "Yes"?
 11 THE WITNESS: Yes.
 12 Q. Is that correct?
 13 A. That's correct.
 14 Q. Okay.
 15 A. But it was both detectives.
 16 Q. Well, you stated here that as far as I can
 17 remember it was just the two of us in this room.
 18 A. Well, the two of us, the two detectives.
 19 Q. Well, you said here, at that point a detective
 20 there took me into this other room?
 21 A. And it was just the two of us, there was two
 22 detectives and me.
 23 Q. And then you're referring to he got really loud
 24 and angry. He was slamming his hands. Do you
 25 see that?

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1 A. Yeah. Yeah. Yeah.
 2 Q. So, it was just one detective that was doing
 3 that?
 4 A. That's the one, yeah, that I remember, yes.
 5 Q. So, in paragraph 12 you're only speaking about
 6 one detective, right?
 7 A. I'm really speaking about two detectives and
 8 that's just the way that it's typed up, but only
 9 one detective came out, yes, out of my mouth in
 10 that -- in this particular paragraph, yes.
 11 Q. Okay. So, in this particular paragraph,
 12 paragraph 12 --
 13 A. Uh-huh.
 14 Q. -- you're only describing the actions of one
 15 detective?
 16 A. Yes.
 17 Q. And this other detective did not --
 18 A. He didn't do anything. He was just there.
 19 Q. Okay. He didn't say anything to you?
 20 A. No.
 21 Q. Other than -- and there were no other detectives
 22 in the room?
 23 A. No.
 24 Q. No other police officers in the room?
 25 A. No. No.

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1 Q. What kind of a room was it?
 2 A. It was just like a, I don't know, like a room
 3 like this.
 4 Q. Okay.
 5 A. Just a little bit smaller.
 6 Q. Now, until this, your two affidavits --
 7 A. Uh-huh.
 8 Q. -- 2013 and 2014 and your discussions with the
 9 Innocence Project, until then you had never told
 10 anybody about what happened in the -- in the room
 11 with the detective?
 12 A. My mother.
 13 Q. When would you have told your mother?
 14 A. And my father -- when I came back home.
 15 Q. And you told your father, too?
 16 A. Yeah. He was at home then, yes. That was one of
 17 the times where he was at home.
 18 Q. But you had never told any other police officers?
 19 A. No.
 20 Q. And you never told the prosecutors, and you never
 21 told the defense attorneys?
 22 A. Well, of course --
 23 Q. Until 2013?
 24 A. Until -- oh, until 2013. Of course Detective
 25 Terpay and Detective Farmer knew what happened

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1 that day, you know, when they came and picked me
 2 up the next day.
 3 Q. They knew what happened with regards to the
 4 lineup?
 5 A. Right, right.
 6 Q. Did they know -- but did you ever -- my question
 7 is more specific, did you ever tell Detective
 8 Terpay what happened in the room after the
 9 lineup?
 10 A. Oh, yeah, yeah, yeah. They knew, yes. They -- I
 11 told them and they also already knew, too.
 12 Q. Okay. Other than --
 13 A. Other than them, no.
 14 Q. Okay. So -- okay. So, after -- now, I think you
 15 said that you saw Ricky Jackson by the phones?
 16 A. Yes, I did.
 17 Q. Okay. And I think you said that was after you --
 18 I'm sorry, let me backtrack.
 19 If you look at paragraph 14 of your
 20 affidavit.
 21 A. Uh-huh. Okay.
 22 Q. You said that you would -- he took me back out to
 23 see Ricky Jackson by the phones. Do you see
 24 that?
 25 A. Uh-huh.

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1 Q. Okay.
 2 A. Yes.
 3 Q. And so then you said it was right after that is
 4 when the police had me sign another statement.
 5 Do you see that paragraph 14?
 6 A. Yes.
 7 Q. Is that correct?
 8 A. It's actually correct in the form, but it's not
 9 the correct way that it actually happened.
 10 Because after being in the room with them, this
 11 is when they brought the statement back. On my
 12 way leaving to go home is when they were on the
 13 phones.
 14 Q. Okay. So, the order that you have in paragraph
 15 14 --
 16 A. Yes.
 17 Q. -- is not correct?
 18 A. It's kind of in the reverse order, but it
 19 happened right there in that same, the same way,
 20 yes. Yes.
 21 Q. And with regard to the statement that you
 22 testified about that was presented to you, it was
 23 short? Can you describe it? It simply stated
 24 that you were scared?
 25 A. That was it. Just like I said about the other

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1 statement, it had my name and everything up top.
 2 And it stated that Edward Vernon was scared to
 3 pick out Ricky Jackson and such and such, and a
 4 few more things. And it was -- it came about
 5 right about, right about here (indicating) I want
 6 to say on this right about to about line six.
 7 And then up under that it had the little place
 8 where you would sign your name.
 9 Q. Okay. So, showing you what had been marked as
 10 Exhibit 5. It did not have any information about
 11 the actual crime?
 12 A. On it?
 13 Q. Right.
 14 A. The rest of the stuff I couldn't really say what
 15 was involved on it. All I could tell you is that
 16 up here just like it is here, Edward Vernon on
 17 such and such date, which would have been May the
 18 26th, 1975 -- I can remember that being up there,
 19 and I can remember it saying that I was scared to
 20 pick, pick them out of the lineup. And Ricky
 21 Jackson, such and such and such. And as it came
 22 down it had more stuff. And then it was about,
 23 like I said, about that short (indicating), and
 24 then I signed it.
 25 Q. Okay. So, Exhibit 5, do you recall that during

<p style="text-align: right;">Page 193</p> <p>1 the trial that you were cross-examined about that 2 statement? 3 A. Yes, I do. 4 Q. Okay. 5 MR. GILBERT: You mean the trial 6 or the hearing? 7 MR. FUNK: During the 1970s trial. 8 MR. GILBERT: Okay. 9 A. '70s trials. Yes. 10 Q. Yes. 11 MS. WANG: Objection. Foundation. 12 Q. Do you recall that you were -- that you were 13 cross-examined about this statement at all of the 14 trials? 15 A. Yes. 16 Q. All right. And let me get my copy of it. Hold 17 on a second. 18 Okay. Do you see towards -- I'm referring to 19 Exhibit 5, there's a question, how long have you 20 known Buddy, Wiley Bridgeman and Ricky Jackson? 21 And you state that Buddy about three years and 22 Ricky about the same, three years. We was 23 friends and I knew them from the neighborhood. 24 Do you see that? 25 A. Yes.</p>	<p style="text-align: right;">Page 195</p> <p>1 Ricky. 2 A. Okay. Yeah, I see that. 3 Q. And is that correct, No. 1 was Ricky and No. 7 -- 4 I'm sorry, No. 1 was Buddy and No. 7 was Ricky in 5 the lineup? 6 A. In the lineup I remember being asked that. 7 Q. So that's correct? 8 A. That's correct. 9 Q. Now, towards the end it says that you saw Buddy 10 -- okay. Never mind. 11 Okay. So, after the lineup you told your 12 parents what happened -- 13 A. That's correct. 14 Q. -- right? And when you went to the Holiday Inn 15 during the trials your parents stayed with you? 16 A. My father was supposed to -- my mother stayed 17 with me temporary. And what happened is I didn't 18 know -- well, we didn't know that we were being 19 watched. And my mother -- 20 Q. When you say "being watched", being watched by 21 people in the neighborhood? 22 A. Watched by -- no, watched by the detectives. 23 Q. Okay. 24 A. So, my mother had told them she had the cancer. 25 She had the operation where she had to wear --</p>
<p style="text-align: right;">Page 194</p> <p>1 Q. Is that true? 2 A. That's pretty much accurate. That's probably 3 about the time that they moved around the 4 neighborhood. 5 Q. And with respect to this statement, there's a 6 reference to Vincent. Do you see that? 7 A. Yeah, Bitsey. 8 Q. Did you ever refer to a Vincent? 9 A. No, I called him Bitsey. Evidently they didn't 10 spell it right. I don't know who Vincent is. 11 Q. And so Vincent is what you mean is Bitsey? 12 A. Yes. 13 Q. Okay. And you recall you were cross-examined 14 about that? 15 A. Yes. 16 Q. Okay. So, you called him -- how did you say it 17 again, Bitsey? 18 A. Bitsey -- 19 Q. Okay. 20 A. -- is his name -- was his nickname. Yeah, I 21 recall it. 22 Q. Okay. And in this statement there's a reference 23 to No. 1 was Buddy and No. 7 was Ricky? 24 A. Okay. Where is that at? Let's see -- 25 Q. In the lineup No. 1 was Buddy and No. 7 was</p>	<p style="text-align: right;">Page 196</p> <p>1 she had to wear Pampers because I guess from the 2 cervical cancer there that she had and the 3 surgery, whatever they did, but anyway, she was 4 so weak that day that she -- me and her left out 5 of the building and we were walking down to Gray 6 Drugstore. 7 And we went down there and she could barely, 8 could barely make it there and barely make it 9 back. 10 And we got back, and the next day when the 11 detectives came to pick me up and, you know what, 12 he cussed me out, and he said I thought I told 13 you not to leave this building. And I said, I 14 left the building, I said -- I went with my 15 mother to go get her some Pampers because she 16 needed them for -- well, you weren't supposed to 17 -- do you know we've got people watching you? 18 There's a detective that sits down there and he 19 watches you to make sure that you not suppose to 20 leave. And I said I didn't know this. 21 And, yeah, my mother at that point decided it 22 was too much for her and so my father said he 23 would stay down there with me. And I never seen 24 the guy except for like 2:00 or 3:00 o'clock in 25 the morning. And he would come into the room and</p>

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1 -- that's a whole 'nother story of who he wanted
 2 to have in there --
 3 Q. Okay. So, that was really -- my question was:
 4 In the hotel room your mother stayed with you for
 5 a while and then your father stayed with you as
 6 well?
 7 A. Yeah. Well, I guess he stayed there when he did.
 8 Like I said, I very seldom seen him.
 9 Q. And your mother and your father knew that you
 10 were testifying at the trials?
 11 A. Yes.
 12 Q. And did your mother and your father come with you
 13 to the trial, any of the trials?
 14 A. No one came with me to the trials but me. I was
 15 the only one that -- because I stayed in the
 16 hotel and I wasn't allowed interacting, contact,
 17 with none of my family.
 18 Q. Well, your father testified at the trials, didn't
 19 he?
 20 A. But he didn't come down with me to the
 21 courthouse.
 22 Q. Okay. And your mother, did she testify at the
 23 trials?
 24 A. I think she did, but they didn't come with me.
 25 Everything was done separate from me.

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1 Q. And are you aware of any time in which your
 2 mother or your father told either the police or
 3 the prosecutors that you did not actually witness
 4 the crime?
 5 A. I can't say that I was around when they did. If
 6 they did tell them that, I wasn't present.
 7 Q. Okay. So, you don't know?
 8 A. Yes, for sure.
 9 Q. They never told you that they had done that?
 10 A. Like I just told you, I had -- they limit me to
 11 very little contact with anybody, anybody.
 12 Q. I'm just saying your mother and your father never
 13 told you that they had said anything to the
 14 police or the prosecutors?
 15 A. Did you just hear what I said? They limit me to
 16 any interacting with -- my father stayed there,
 17 but he stayed there, but he didn't stay there.
 18 So, if they talked to him or he came or my mother
 19 talked to them, it wasn't in my presence when
 20 they talked. It was not in my presence, so I
 21 don't know.
 22 Q. Okay. So, after the trial -- or the trials in
 23 1975, you said you stayed -- you moved to New
 24 Jersey?
 25 A. Detective Terpay said since I had all of these --

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1 since I had these death threats, that it would be
 2 a good idea for me not to go back to the
 3 neighborhood. And asked my mother that could I
 4 go and stay somewhere else. Did I have some more
 5 relatives that I could go live with until things
 6 died down, that I maybe -- probably come back to
 7 Cleveland after then.
 8 Q. And who did you stay with in New Jersey?
 9 A. My auntie and my uncle. I stayed with my
 10 mother's brother and his wife.
 11 Q. Okay. So, when would you have moved back to
 12 Cleveland?
 13 A. About a year or so later.
 14 Q. Okay. And I think there was another trial in
 15 1977?
 16 A. '77.
 17 Q. Would you have moved back after that trial?
 18 A. After that trial because they, they came and got
 19 me.
 20 Q. From New Jersey?
 21 A. Right.
 22 Q. To bring you in for the second trial?
 23 A. Yes.
 24 Q. So, how long after that second trial would you
 25 have moved back to Cleveland more permanently?

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1 A. Not long after that.
 2 Q. And after you moved back to the neighborhood,
 3 would you have occasion to see family members of
 4 Ricky Jackson or the Bridgemans?
 5 A. Yes.
 6 Q. Did they ever have occasion to speak with you
 7 about the trials?
 8 A. Ricky's brother always -- his younger brother
 9 always assured me that he didn't have any hard
 10 feelings against me and that we were okay. And
 11 that he just said he know that I -- that I lied
 12 and that, you know, I didn't tell the truth, but,
 13 you know, he said we were still good friends and
 14 that's basically it.
 15 Q. Did you ever say anything to him about whether
 16 you lied or not?
 17 A. No, I didn't get into all of that with him.
 18 Q. So, when you moved back to Cleveland, did you
 19 live in the same house?
 20 A. No. No.
 21 Q. Where did you live when you moved back?
 22 A. Actually, when I came back, we lived on East 71st
 23 and Lawnview.
 24 THE COURT REPORTER: And what?
 25 THE WITNESS: Lawnview.

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1 Q. So, that's a different neighborhood, right?
 2 A. Yeah. That's between Wade Park and Lexington.
 3 Q. And were you living with your mother or father
 4 then?
 5 A. My mother. My father was deceased.
 6 Q. Did I ask you that? When did your father pass
 7 away?
 8 A. No, you didn't ask me.
 9 Q. Okay. When did your father pass away? Sorry.
 10 A. 1976.
 11 Q. Oh, so I'm sorry, so he passed away before the
 12 second trial?
 13 A. Yes. Yes. And my mother, my mother was already
 14 sick at that time. She had went back into the
 15 hospital with the cancer. He developed -- I
 16 don't know what he had, but all I know is he lost
 17 one of his lungs. And I remember coming back in
 18 May because he died in May, and I was in school,
 19 and they brought me back here. I wasn't really
 20 allowed to go anywhere. Detective Terpay said
 21 just stay around the house there. You don't
 22 venture off over into the other neighborhood
 23 where you grew up at and where everything
 24 happened.
 25 And, yeah, he died, yep. And then like I

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1 said, my mother -- we moved -- well, when I came
 2 back from -- to live, we lived on 71st and
 3 Lawnview. That's, like I said, we were always
 4 staying there when my father died -- well, she
 5 was anyway.
 6 Q. So Princeton, New Jersey you were living during
 7 that time --
 8 A. Uh-huh.
 9 Q. -- is that right?
 10 A. Yes.
 11 Q. Okay. When you were in Princeton, New Jersey you
 12 flew back for the second trial?
 13 A. Yes.
 14 Q. Okay. And when you flew back for the second
 15 trial, did you stay at the same Holiday Inn again
 16 during the second trial?
 17 A. During the second trial, I think I did stay down
 18 there.
 19 Q. I'll say the 1977, second trial.
 20 A. Yeah, I want to say I did. I didn't stay at
 21 home, I don't think I did.
 22 Q. And did you stay there with your mother?
 23 A. No. I stayed there by myself.
 24 Q. But you saw your mother when you came back?
 25 A. Yeah, yeah.

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1 Q. And --
 2 A. I want to say I could have been at home too, but
 3 go ahead.
 4 Q. So, your mother knew of all of these trials, four
 5 trials, that you were testifying that you had
 6 seen the murder and you were testifying that
 7 these three had done -- that Ricky was the
 8 shooter, that Wiley was driving the car and that
 9 Ronnie was the one who --
 10 A. She knew.
 11 MS. WANG: Objection.
 12 Q. Your mother was aware that you were testifying to
 13 that?
 14 MS. WANG: Objection. Form,
 15 foundation.
 16 A. My mother knew that these men did not do it.
 17 Q. But your mother also knew that you were
 18 testifying in court that they did do it?
 19 A. Yes, she did.
 20 MR. FUNK: Okay. Let me take a
 21 moment. Let's take a break.
 22 THE VIDEOGRAPHER: Off the record
 23 at 3:20.
 24 - - - -
 25 (Thereupon, a recess was had.)

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1 - - - -
 2 THE VIDEOGRAPHER: Okay. We're
 3 back on the record at 3:32.
 4 BY MR. FUNK:
 5 Q. Okay. So, I want to go back to your testimony.
 6 You said you spoke -- or you saw Wiley Bridgeman
 7 at the City Mission in 2006. Do you remember
 8 that?
 9 A. Yes.
 10 Q. Okay. And at that time did you tell him that --
 11 what -- or just explain again what -- I don't
 12 want to re -- put words in your mouth, what did
 13 you tell him about what you did at the trial, the
 14 criminal trials?
 15 A. No, I told him that -- when I saw him, I
 16 explained to him who I was, and like I said, we
 17 cried on each others shoulders. And I told him
 18 that I know that they didn't do it. And he says,
 19 well, you need to come forward and tell the
 20 newspapers and the media, and I was like, nah,
 21 I'm not coming forward with none of that, no. At
 22 that time I'm thinking to myself, but I didn't
 23 tell him that.
 24 Q. Right. So, up until that time, 2006 --
 25 A. Uh-huh.

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1 Q. -- had you told anyone other than your mother and
 2 your father that you had lied at the criminal
 3 trials?
 4 A. No.
 5 Q. And prior to 2006 had you spoken with anyone
 6 about the truth of what happened?
 7 A. No.
 8 Q. Now, after that, after you spoke with Wiley
 9 Bridgeman, were you called by Cleveland Scene
 10 magazine?
 11 A. Yes.
 12 Q. And at that time, you didn't want -- you refused
 13 to speak with them?
 14 A. I refused to speak with them, yes, I did.
 15 Q. Okay. So, the next time that this subject came
 16 up it was actually brought up by your pastor?
 17 A. As far as the Scene magazine is concerned, yes.
 18 Q. No, about the whole subject of the -- of your
 19 testimony at the Jackson and Bridgeman trials.
 20 A. Actually Scene magazine, I guess, they contacted
 21 him. And he came to me, and I told him I said
 22 it's something happened in my past and I really
 23 don't even want to talk about it.
 24 Q. Okay. So then after that --
 25 A. Then that's when --

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1 Q. -- the next time would have been in 2013 --
 2 A. '13, that's right.
 3 Q. -- when you spoke with your pastor?
 4 A. Yes.
 5 Q. So, prior to that time -- and I think you already
 6 testified about that, so I don't want to go into
 7 it in great detail, but that was the time in the
 8 hospital --
 9 A. That's correct.
 10 Q. -- with your pastor?
 11 A. That's correct.
 12 Q. Prior to that, had you spoken with anyone?
 13 A. Prior to that, no.
 14 Q. Okay.
 15 MR. FUNK: I'm going to mark this
 16 as the next exhibit. Do you know where
 17 we're at? Are we at E?
 18 THE COURT REPORTER: We're at E,
 19 yeah.
 20 MR. FUNK: I'm going to use
 21 capital letters.
 22 - - - -
 23 (Thereupon, Defendant's Exhibit E was marked
 24 for purposes of identification.)
 25 - - - -

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1 Q. I'm going to show you what's been marked as
 2 Exhibit E. This is your testimony at the 2014
 3 hearing.
 4 A. Uh-huh.
 5 Q. Okay. And you said you reviewed this prior to
 6 your deposition here today?
 7 A. What this?
 8 Q. Well, you reviewed -- I don't know if you
 9 reviewed Exhibit E, but you reviewed the
 10 testimony of your -- the transcript of your
 11 testimony at the 2014 --
 12 A. Yes.
 13 Q. -- hearing, right?
 14 A. Yeah.
 15 Q. And you recall there was nothing in the testimony
 16 that you felt you needed to correct or change?
 17 A. Correct.
 18 Q. Now, prior to this testimony -- and I think you
 19 were the -- it says here Mr. Howe did the direct
 20 examination. That's Brian Howe?
 21 A. Yes, correct.
 22 Q. And prior to your testimony, did you meet with
 23 Mr. Howe to prepare for the testimony?
 24 A. Did I meet with him to prepare for it?
 25 Q. Yeah.

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1 A. I spoke with Mr. Howe.
 2 Q. To discuss what kind of questions he would be
 3 asking you and so you could be prepared to answer
 4 them?
 5 A. All I can say is that we spoke together and
 6 that's about it.
 7 Q. So, if you refer -- go to page 126, which is
 8 about three-fourths of the way in.
 9 A. Okay.
 10 Q. There's a question about, on line 15, do you see
 11 that?
 12 A. Yes.
 13 Q. "So, up until the point where you told Wiley
 14 Bridgeman that you made all this up, you hadn't
 15 told anyone else?" Do you see that?
 16 A. Yes.
 17 Q. Did you tell Wiley Bridgeman that you had made
 18 all of this up?
 19 A. Yes. That's what I meant by everything was a
 20 lie.
 21 Q. And you had -- and so then you said up until that
 22 point in time when you told him that you made all
 23 this up, you hadn't told anyone else and you said
 24 no?
 25 A. No.

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1 Q. So, you're saying no, I hadn't told anybody else?
 2 A. Exactly. That's correct.
 3 Q. And then the next question is, "Not the police?"
 4 And then you said "no."
 5 A. That's correct.
 6 Q. Okay. Now, during this testimony, if you
 7 remember your testimony here today, you testified
 8 about conversations that you had with Detective
 9 Terpay after the lineup?
 10 A. Correct.
 11 Q. Okay. During your testimony on the -- on
 12 November 17th, 2014, you didn't testify about
 13 that, did you?
 14 A. I was never asked about it.
 15 Q. Prior to 2014 did you ever tell anybody about
 16 that?
 17 A. I was never asked about it.
 18 Q. And you never told anybody at the Innocence
 19 Project about it?
 20 A. About Detective Terpay and them?
 21 Q. About the specific conversation the day after the
 22 lineup with Detective Terpay that you testified
 23 to --
 24 A. Yes, I told the Innocence Project, yes, I did.
 25 Q. Okay. And the Innocence Project didn't put that

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1 in your affidavit --
 2 A. I don't know.
 3 Q. -- Exhibit B?
 4 A. I don't think they asked the question, because I
 5 think I would have put that in there.
 6 Q. But you didn't put it in there, right?
 7 A. No, I said I don't think they asked the
 8 question --
 9 Q. Okay. So did you --
 10 A. -- because I would have put it in there. And
 11 when I wrote out the statement, no, I did not
 12 include that.
 13 Q. Okay. So, did you tell the Innocence Project
 14 about your conversation with Detective Terpay the
 15 day after the lineup?
 16 A. I told them about everything that happened prior
 17 to the lineup and after the lineup.
 18 Q. And did you tell them your conversation with
 19 Detective Terpay the day after the lineup?
 20 A. Like I just said, they didn't ask me the question
 21 about the day after the lineup.
 22 Q. Okay. Well, that's all I'm trying to confirm.
 23 So, then because they didn't ask you the
 24 question, you never told them anything about your
 25 conversation with Detective Terpay about the day

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1 after the lineup?
 2 A. I don't believe -- I could have, but I didn't put
 3 it down in writing.
 4 Q. And they didn't ask you about it on the November
 5 17th --
 6 A. They didn't ask me about it, no one asked me.
 7 Q. Okay. So, when is the first time that you told
 8 anyone about that conversation with Detective
 9 Terpay the day after the lineup? Is that, the
 10 first time you talked about it is that today?
 11 A. No.
 12 Q. Between 2006 with Wiley Bridgeman and today, did
 13 you tell -- have you ever told anybody that you
 14 had a conversation with Detective Terpay the day
 15 after the lineup or the substance of what you
 16 testified to today about that conversation?
 17 A. If I'm reading this right -- because it sounds
 18 like you're trying to confuse me here --
 19 Q. No, actually I'm not trying to confuse you, I
 20 just want to know --
 21 A. And I'm just trying to -- you know --
 22 Q. Let me ask you a different --
 23 A. I'm going to state it again --
 24 Q. Okay.
 25 A. -- and I said it again is that I talked with them

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1 about everything that went on before the trial,
 2 everything that went on after the trial. To make
 3 a statement about what I talked to them about
 4 Detective Terpay talked to me after the lineup,
 5 that question was not brought up about what I
 6 said. And I stated that --
 7 Q. Okay.
 8 A. -- okay?
 9 Q. So, I know, and I just want to make sure I
 10 understand. From 2006 with Wiley, your
 11 conversation with Wiley Bridgeman until the
 12 present day, had you -- have you ever had a
 13 conversation with anybody in which you told them
 14 about the conversation that you testified to
 15 today that you had with Detective Terpay the day
 16 after the lineup?
 17 A. Of course my mother and father knew.
 18 Q. No, I'm talking about -- your mother and father
 19 weren't alive?
 20 A. Uh-huh, that's correct.
 21 Q. Okay. So, in 2006 -- since 2006 --
 22 A. Since Wiley Bridgeman.
 23 Q. -- until today --
 24 A. Uh-huh.
 25 Q. -- had you told anybody about the conversation

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1 you had with Detective Terpay the day after the
 2 lineup?
 3 A. I just -- it's like I'm repeating the same thing
 4 over --
 5 Q. Right. But isn't that --
 6 A. -- I was never asked the question, so how could I
 7 tell anybody what I -- what I said.
 8 Q. Okay. So, the answer is, yes, you never told
 9 anybody until today?
 10 A. If I'm not mistaken, no, I haven't told anyone
 11 until today. I believe -- I believe I talked in
 12 general about what happened about the day after
 13 and it could have been with the Innocence
 14 Project, could have been with my pastor, could
 15 have been just in general.
 16 Q. Okay. But that conversation is not in any of the
 17 affidavits?
 18 A. It's not in any of the affidavits.
 19 Q. And it's not in the transcript of the hearing?
 20 A. Nuh-uh.
 21 MS. WANG: Objection. Asked and
 22 answered.
 23 Q. And, so to your knowledge, it was not anything
 24 that you can recall specifically discussing with
 25 anybody until today?

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1 MS. WANG: Objection. Asked and
 2 answered.
 3 A. I think I've already said what I needed to say.
 4 Q. I just want to confirm, is today the first day
 5 that you discussed that conversation?
 6 MS. WANG: Objection. Asked and
 7 answered.
 8 A. I think if you go back and have him look, I
 9 answered that question already. And I think
 10 you're trying to put it in a different format
 11 again to make me answer it again and I refuse to
 12 answer it again. I've already --
 13 Q. Okay. Now, earlier you said you do not recall
 14 whether Tommy Hall was on bus with you that day?
 15 MS. WANG: Objection. Asked and
 16 answered.
 17 A. That's correct.
 18 Q. Okay. I want to refer you to Exhibit B, it's
 19 your written affidavit, paragraph four.
 20 A. Uh-huh.
 21 Q. You stated Tommy Hall was on bus with me that
 22 day. He was a couple years older than me. We
 23 got off the bus at the same stop.
 24 A. Uh-huh.
 25 Q. Does that refresh your recollection that --

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1 A. I mean that's correct, but so many -- like I just
 2 said earlier, so many people got off the bus.
 3 Everybody gets off -- well, not everybody gets
 4 off at that bus stop, but so many people gets off
 5 at that bus stop, that is correct.
 6 Q. And Tommy Hall got off at the same bus stop that
 7 you did?
 8 A. And if this is what I stated here, then that's
 9 what happened.
 10 Q. Okay. So paragraph four is correct?
 11 A. That's correct.
 12 Q. All right. And then in paragraph six you said, I
 13 don't know where Tommy Hall got the names Ricky,
 14 Buddy and Bitsey. Tommy was on the bus with me
 15 when we heard the shots, so he couldn't have seen
 16 the shooting. Do you see that?
 17 A. That is correct.
 18 Q. Okay. And that's a correct statement, too?
 19 A. That's a correct statement.
 20 Q. Did you ask Tommy Hall how -- why he thought
 21 Ricky, Buddy and Bitsey did it?
 22 A. No, I didn't.
 23 Q. And why did you -- but you believed him that they
 24 did?
 25 A. That's what he told me and I believed it.

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1 Q. Did you tell Detective Terpay in any of your
 2 conversations with him that Tommy Hall was the
 3 person who told you that Ricky, Buddy and
 4 Bitsey --
 5 A. Possibility, not correctly. I'm not sure.
 6 Q. Now, you had talked -- you testified earlier
 7 about when you were staying at the Holiday Inn
 8 you were aware that there was death threats from
 9 the neighborhood at that time?
 10 A. That's what Detective Terpay told me.
 11 Q. Okay. Had you received any threats from anybody
 12 in the neighborhood?
 13 MS. GILBERT: Do you mean directly
 14 from somebody else?
 15 Q. Yeah, directly from somebody else in the
 16 neighborhood?
 17 A. No, I didn't.
 18 Q. Had anybody in the neighborhood talked to you
 19 about -- and I'm going back to 1975 -- about
 20 whether or not you had seen the crime?
 21 A. Had anybody talked to me about that?
 22 Q. Yeah. Other than the detectives, did anybody in
 23 the neighborhood talk to you about it?
 24 A. Everybody in the neighborhood talked to me about
 25 it. They knew I didn't see it.

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1 Q. They knew that you didn't see it?
 2 A. Yeah, everybody knew I was on the school bus.
 3 Q. And what did you say back to them?
 4 MS. WANG: Objection. Foundation.
 5 A. I will put it this way to you, I didn't say
 6 anything back to them.
 7 Q. Okay. And -- but people actually talked to you
 8 about --
 9 A. People had their comments about it --
 10 Q. Okay.
 11 A. -- okay. Put it like that.
 12 Q. And did you -- people were mad at you because you
 13 were testifying, right?
 14 MS. WANG: Objection. Foundation.
 15 A. Correct.
 16 Q. And were you at all concerned -- or did you
 17 believe that there would potentially be death
 18 threats against you from people in the
 19 neighborhood?
 20 A. I didn't believe anything like that.
 21 Q. Okay. And were you concerned about the fact
 22 people in the neighborhood --
 23 A. No.
 24 Q. You weren't concerned at all about what people in
 25 neighborhood were saying?

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1 A. No.
 2 Q. But after the trials you -- the 1975 trials --
 3 you did move to New Jersey, right?
 4 A. Not on -- not on my behalf.
 5 Q. I mean your parents --
 6 A. Like I just said, not on my behalf, not on my
 7 parents' behalf. Only because of what the
 8 detectives said and I'll state that until the day
 9 I die.
 10 Q. Okay. But your parents --
 11 A. My parents --
 12 Q. -- allowed you to go to New Jersey?
 13 A. -- only -- agreed to it because of what the
 14 detectives said. If the detectives had not
 15 brought it to her, then I would have still stayed
 16 right there in that house.
 17 Q. Do you recall ever telling Robert Robinson, the
 18 owner of the store, that you knew who did it?
 19 A. I don't recall talking to Bob about who did it.
 20 Matter of fact, I wasn't too much allowed to go
 21 up there to the store. I went to the other
 22 store. Occasionally I would come up there to the
 23 store, but the store was actually closed for, I
 24 don't know, two or three days or something or
 25 another.

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1 Q. Yeah. No, my question was not did you tell him
 2 who did it, but did you tell him at any point
 3 that you knew who did it?
 4 A. I don't recall.
 5 Q. So you may have done that?
 6 A. I said I don't recall.
 7 Q. Okay. Do you recall that being a subject of
 8 testimony at the trial?
 9 A. At the trials, yes, I do.
 10 Q. That you testified that you had spoken to
 11 Mr. Robinson about that?
 12 A. I testified to that -- well, that's what was
 13 said.
 14 Q. That you had told Mr. Robinson that you knew who
 15 did it?
 16 A. That's what was said.
 17 Q. Okay. And -- okay. I just need to get this out
 18 for the record, so I want to ask you: Have you
 19 been convicted of any crimes?
 20 MS. WANG: Objection. Relevance.
 21 403, 404, 609. Go ahead.
 22 A. I think you already know the answer to these
 23 questions that you're asking.
 24 Q. Well, I need to know from you.
 25 A. No, you already -- you already know, the city

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1 knows, the state knows, the county knows. And
 2 you being an investigator, you know the answer to
 3 these questions and I refuse to answer.
 4 Q. Okay.
 5 A. Thank you.
 6 Q. So, you have been convicted of a crime?
 7 A. What did I just say? Yes.
 8 Q. Okay. And how many convictions do you have?
 9 A. What did I just say?
 10 MS. WANG: Objection. Well --
 11 Q. I don't know.
 12 MR. GILBERT: You can answer.
 13 MS. WANG: -- hold on. Let me --
 14 MR. GILBERT: You can answer.
 15 MS. WANG: -- just make my
 16 objection -- I'll just make my objection
 17 for the record and then you can answer the
 18 question.
 19 MR. GILBERT: You can answer it.
 20 MS. WANG: Objection. Relevance.
 21 Rule 403, 404, 609. Go ahead.
 22 A. Two convictions, sir.
 23 Q. Okay. And what --
 24 A. Does that make you a little bit more happier?
 25 Q. I'm actually -- Mr. Vernon, I'm just asking the

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1 questions, I'm not trying to be happy or not
 2 happy.
 3 So, two convictions. When were the
 4 convictions and what were they for?
 5 A. I have no idea. It's a public record. People
 6 can look them up. Because this is like --
 7 Q. And did you serve any time, any time in jail or
 8 in prison for this?
 9 A. Yes, I did.
 10 Q. When were you in jail?
 11 A. That's back around to the same question that you
 12 just asked me before.
 13 Q. I don't know when you served in jail.
 14 A. Okay.
 15 Q. Served time in jail.
 16 A. I'm pretty sure it's public record, so you ought
 17 to be able to look that up. It was a time. I
 18 can't remember.
 19 Q. How long were you in jail?
 20 A. I don't want to remember. I just don't want to
 21 remember. I know how long. I know when the
 22 dates. I know all those things.
 23 Q. All right. This is the only information I have.
 24 MR. FUNK: If we can go ahead and
 25 mark this as an exhibit.

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1 - - - -
 2 (Thereupon, Defendant's Exhibits F, G were
 3 marked for purposes of identification.)
 4 - - - -
 5 THE VIDEOGRAPHER: Can I go off
 6 and change the tape real quick?
 7 MR. FUNK: Yeah, go ahead and
 8 change.
 9 THE VIDEOGRAPHER: End of tape
 10 five.
 11 MR. FUNK: I'm almost done.
 12 THE VIDEOGRAPHER: Off the record
 13 at 3:59.
 14 - - - -
 15 (Off the record.)
 16 - - - -
 17 THE VIDEOGRAPHER: This is tape
 18 six. Back on the record at 4:00 o'clock.
 19 BY MR. FUNK:
 20 Q. All right. I'm showing you two documents, one is
 21 marked Exhibit F and one is marked Exhibit G.
 22 I'm sorry, did I -- I may --
 23 A. All right. Let's just get to the real point, I
 24 don't even have to look at these --
 25 Q. Okay.

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1 A. Hold on. Let's just get to the real point. You
 2 want to know if I came in contact with any of
 3 these individuals while I was in prison and no, I
 4 didn't.
 5 Q. Actually I just want to verify -- handing you
 6 Exhibit F, just want to verify that that is --
 7 this is something that all I've done is printed
 8 it off from the Cuyahoga County Court's website,
 9 I just want to verify that that is you, Edward
 10 Vernon, that was convicted of the crime of gross
 11 sexual imposition as reflected in Exhibit F on --
 12 in 1991; is that correct?
 13 A. You have the information, right?
 14 Q. No, I'm just -- I'm asking you to verify that you
 15 are that same person.
 16 A. But you have the information, right?
 17 Q. But I'm --
 18 A. This is what -- see, all of these --
 19 Q. It's -- all I'm asking, Mr. Vernon, is just to
 20 identify --
 21 A. -- all of these shenanigans --
 22 Q. -- that you are the person that's reflected in
 23 this record.
 24 A. -- and everything that you're trying to do is,
 25 like I just said, I was in prison, you all

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1 already know what I was in prison for, all right?
 2 You already know the count, you brought it up, so
 3 you already know the things that I was in prison
 4 for. Did I have any interaction with these men?
 5 No, I didn't. Did I cross -- our paths cross?
 6 No, they didn't. Okay?
 7 Q. And I apologize because actually I referred to
 8 these wrong --
 9 A. Okay.
 10 Q. -- exhibit --
 11 A. That's drug trafficking.
 12 Q. -- Exhibit F is drug trafficking. And that is --
 13 you are the Edward Vernon reflected in that?
 14 A. Like I just said, you all have the evidence right
 15 there.
 16 Q. And then Exhibit G is --
 17 A. That's gross sexual imposition. You have all of
 18 the evidence right there, sir.
 19 Q. And you are the Edward Vernon in Exhibit G,
 20 correct?
 21 A. Yes, sir.
 22 MR. FUNK: Okay. I have no
 23 further questions. Thank you.
 24 - - - -
 25 RE-EXAMINATION OF EDWARD VERNON

<p style="text-align: right;">Page 225</p> <p>1 BY MS. WANG:</p> <p>2 Q. I just have a few follow-up questions of you,</p> <p>3 Mr. Vernon.</p> <p>4 And I just want to clarify for the record,</p> <p>5 the conviction that's reflected in Defendant's</p> <p>6 Exhibit G for gross sexual imposition, that</p> <p>7 conviction occurred over ten years ago; is that</p> <p>8 correct?</p> <p>9 A. Yes. Both of those.</p> <p>10 Q. Okay. And were you released -- you served -- did</p> <p>11 you serve some time in jail for that?</p> <p>12 A. Yes. For that about six months or something like</p> <p>13 that.</p> <p>14 Q. Did you leave jail over ten years ago?</p> <p>15 A. I think I was released in nineteen ninety -- 1998</p> <p>16 or '99, something like that.</p> <p>17 Q. All right. Could it have been 1997?</p> <p>18 A. Or seven, yeah. Something like that, yeah.</p> <p>19 Yeah, that's correct.</p> <p>20 Q. And then the conviction that is reflected in</p> <p>21 Defendant's Exhibit F for trafficking in drugs,</p> <p>22 was that conviction over ten years ago?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. And how long did you serve in jail for</p> <p>25 that?</p>	<p style="text-align: right;">Page 227</p> <p>1 perjury thing. So her and my father knew that</p> <p>2 they would end up going to jail if I didn't.</p> <p>3 Q. So, your mother was threatened with perjury too?</p> <p>4 MR. FUNK: Objection.</p> <p>5 A. They both knew what the detectives meant when</p> <p>6 they said about perjury. And they knew that when</p> <p>7 I came home and told them what happened and they</p> <p>8 knew.</p> <p>9 Q. Did your mother ever tell you that she was afraid</p> <p>10 of the police?</p> <p>11 A. Yes.</p> <p>12 MR. FUNK: Objection.</p> <p>13 Q. And on -- did she tell you that -- when did she</p> <p>14 tell you that?</p> <p>15 A. Numerous occasions.</p> <p>16 Q. Was it before or after the trial of Ricky</p> <p>17 Jackson?</p> <p>18 A. Before.</p> <p>19 Q. Did she also tell you that she was afraid of the</p> <p>20 police in between the trials of Ricky Jackson and</p> <p>21 the Bridgeman brothers?</p> <p>22 MR. FUNK: Objection.</p> <p>23 A. Yes.</p> <p>24 Q. And in what context did she tell you this?</p> <p>25 MR. FUNK: Objection.</p>
<p style="text-align: right;">Page 226</p> <p>1 A. I don't know. I don't know. Three and a half</p> <p>2 years or something like that.</p> <p>3 Q. Okay. So that conviction --</p> <p>4 A. Two and a half years, something like that.</p> <p>5 Q. You would have been finished serving your time</p> <p>6 for that particular conviction over ten years</p> <p>7 ago; is that correct?</p> <p>8 A. Yes.</p> <p>9 Q. I just have a few clarifying questions on a few</p> <p>10 things so I might jump around a little bit.</p> <p>11 Just to clarify about Tommy Hall. Did you</p> <p>12 walk down the street with Tommy Hall after you</p> <p>13 left the scene?</p> <p>14 A. Yes, I did.</p> <p>15 Q. And you had that conversation with him that you</p> <p>16 told us about earlier; is that right?</p> <p>17 THE COURT REPORTER: "Yes"?</p> <p>18 MR. GILBERT: You have to say yes.</p> <p>19 A. Yes. Yes.</p> <p>20 Q. Do you know -- strike that.</p> <p>21 Did your mother ever try to stop you from</p> <p>22 testifying at the trials of Ricky, Wiley or</p> <p>23 Ronnie Bridgeman?</p> <p>24 A. My mother didn't want me to cooperate any more,</p> <p>25 but she was also threatened I guess with the</p>	<p style="text-align: right;">Page 228</p> <p>1 A. She told me that she was afraid that, that they</p> <p>2 would do something to her and my father and</p> <p>3 myself, so she just said it's too late now, you</p> <p>4 just got to go ahead and cooperate with what they</p> <p>5 want you to do.</p> <p>6 Q. All right. Just to be clear -- and you may have</p> <p>7 said this earlier and I apologize if I'm asking</p> <p>8 you this again, but were you on the 50 Miles bus</p> <p>9 on May 19th of 1975?</p> <p>10 A. No. I was on the school bus.</p> <p>11 Q. Earlier when Mr. Funk was asking you some</p> <p>12 questions, he asked you about whether you</p> <p>13 remember testifying at the trials in the 1970s</p> <p>14 that you had seen Wiley and/or Ronnie at the</p> <p>15 scene. Do you remember that question?</p> <p>16 A. Yes.</p> <p>17 Q. And you had said that you do remember it being</p> <p>18 brought up at your trial but this was given to</p> <p>19 me?</p> <p>20 A. Yes.</p> <p>21 Q. Who gave that information to you?</p> <p>22 MR. FUNK: Objection.</p> <p>23 A. I'm just saying the detective.</p> <p>24 THE COURT REPORTER: Sorry?</p> <p>25 THE WITNESS: I said, the</p>

<p style="text-align: right;">Page 229</p> <p>1 detective.</p> <p>2 Q. Do you remember which detective?</p> <p>3 A. Detective Terpay.</p> <p>4 Q. Do you recall at any time, either before or after</p> <p>5 the lineup, ever sitting in a room with any</p> <p>6 detective and giving them a statement about the</p> <p>7 crime and one of the detectives typing it up?</p> <p>8 MR. FUNK: Objection. Asked and</p> <p>9 answered.</p> <p>10 A. Me giving a statement and them -- yes, and them</p> <p>11 typing it up, yes.</p> <p>12 Q. Do you remember being in the same room as the</p> <p>13 typing -- as a detective who was typing?</p> <p>14 A. No --</p> <p>15 Q. Oh.</p> <p>16 A. -- just everything written down.</p> <p>17 Q. Oh, okay. And so I just want to be clear to make</p> <p>18 sure I understand. You're saying that in what</p> <p>19 you had described earlier was that after the</p> <p>20 detective you identified from photograph No. 4 --</p> <p>21 A. Uh-huh.</p> <p>22 Q. -- yelled at you and made threats against your</p> <p>23 parents, he left the room and came back with a</p> <p>24 statement already typed up; is that right?</p> <p>25 MR. FUNK: Objection.</p>	<p style="text-align: right;">Page 231</p> <p>1 but he would arrest my parents for perjury</p> <p>2 because I was backing out. My mom was sick at</p> <p>3 that time and that really scared me. I didn't</p> <p>4 want my parents to get in trouble over this.</p> <p>5 A. That's correct.</p> <p>6 Q. And the detective who said that to you, was that</p> <p>7 also the detective that's in photograph No. 4?</p> <p>8 A. That's correct.</p> <p>9 MR. FUNK: Objection.</p> <p>10 Q. Paragraph No. 14 of your affidavit you state,</p> <p>11 when I was crying the detective said don't worry</p> <p>12 about it, we can fix this. That was when he took</p> <p>13 me back out to see Ricky Jackson by the phones.</p> <p>14 I don't remember ever really pointing him out</p> <p>15 again, but I think right after that was when the</p> <p>16 police had me sign another statement.</p> <p>17 Now, earlier you had said you got the order a</p> <p>18 little bit mixed up in terms of seeing Ricky at</p> <p>19 the phone?</p> <p>20 A. That's correct.</p> <p>21 Q. Okay. But in terms of what you're here about the</p> <p>22 detective saying "we can fix this", was that</p> <p>23 detective, the detective that's in photograph No.</p> <p>24 4?</p> <p>25 MR. FUNK: Objection.</p>
<p style="text-align: right;">Page 230</p> <p>1 A. That's correct.</p> <p>2 Q. Okay. And talking -- speaking of the detective</p> <p>3 who is in photograph No. 4 -- actually take a</p> <p>4 look at your affidavit right there and take a</p> <p>5 look at page two, paragraph 12. And in that</p> <p>6 paragraph you stated, you described the detective</p> <p>7 who got really loud and angry and started yelling</p> <p>8 at me and calling me a liar. He was slamming his</p> <p>9 hands on the table and pushing things around,</p> <p>10 calling me this and that. I was frightened and</p> <p>11 crying. You know, it's a scary thing for someone</p> <p>12 that young.</p> <p>13 Do you see that paragraph?</p> <p>14 A. Yes.</p> <p>15 Q. And that was true?</p> <p>16 A. That's correct?</p> <p>17 Q. Was it the detective who's in photograph No. 4</p> <p>18 who did that to you?</p> <p>19 MR. FUNK: Objection.</p> <p>20 A. Correct.</p> <p>21 THE COURT REPORTER: Sorry?</p> <p>22 THE WITNESS: Correct. Yes.</p> <p>23 Q. Okay. And how about the next paragraph,</p> <p>24 paragraph No. 13. In paragraph 13 you state the</p> <p>25 detective said that I was too young to go to jail</p>	<p style="text-align: right;">Page 232</p> <p>1 A. That's correct.</p> <p>2 Q. Okay. In paragraph 15 of your affidavit you</p> <p>3 state, the detective said he wanted me to say</p> <p>4 that I was scared during the lineup and that was</p> <p>5 the only reason I couldn't pick out Ricky and the</p> <p>6 Bridgeman brothers. I think this is what he</p> <p>7 meant when he said everything would be okay and</p> <p>8 that he would fix this.</p> <p>9 Which detective was that?</p> <p>10 MR. FUNK: Objection.</p> <p>11 A. The detective in photograph No. 4.</p> <p>12 MS. WANG: All right. Let's take</p> <p>13 a quick break and then see if we have</p> <p>14 anything else.</p> <p>15 THE VIDEOGRAPHER: Off the record</p> <p>16 at 4:11.</p> <p>17 - - - -</p> <p>18 (Thereupon, a recess was had.)</p> <p>19 - - - -</p> <p>20 BY MS. WANG:</p> <p>21 Q. Could you just take a look at -- so just for</p> <p>22 reference and for the record, this is a document</p> <p>23 Bates Stamped CLE-O111 and 0112. The date</p> <p>24 indicated at the top, date of this report says</p> <p>25 May 20, 1975. And at the bottom it appears to</p>

<p style="text-align: right;">Page 233</p> <p>1 have a signature of J.T. Farmer on it.</p> <p>2 Could you take a look at the last paragraph</p> <p>3 on the first page of this report and just read</p> <p>4 that to yourself and then I'll ask you a question</p> <p>5 about it.</p> <p>6 A. The last paragraph?</p> <p>7 Q. Yes.</p> <p>8 MR. FUNK: I'm going to state an</p> <p>9 objection for the record that I think this</p> <p>10 exceeds the scope of cross-examination, but</p> <p>11 go ahead.</p> <p>12 A. It says there in the first sentence of that</p> <p>13 paragraph, while in this area we were able to</p> <p>14 locate a young citizen who reveals that he was</p> <p>15 getting off the bus -- and then it continues on</p> <p>16 describing the incident.</p> <p>17 Did you -- my question is: Did you give this</p> <p>18 information to Detectives Farmer or Terpay or did</p> <p>19 they give the information to you?</p> <p>20 MR. FUNK: Objection. Foundation.</p> <p>21 A. No, this information was given to me.</p> <p>22 Q. And do you recall if this information was given</p> <p>23 to you on May 20th of 1975?</p> <p>24 MR. FUNK: Objection.</p> <p>25 A. It was given to me then.</p>	<p style="text-align: right;">Page 235</p> <p>1 Q. Okay. Did you give any of that information in</p> <p>2 the first paragraph of the second page of</p> <p>3 Plaintiff's Deposition Exhibit 7, did you give</p> <p>4 any of that information to the detectives?</p> <p>5 A. No.</p> <p>6 Q. Was that information that they provided to you?</p> <p>7 A. Yes, it was.</p> <p>8 Q. And the same thing with the last paragraph on the</p> <p>9 first page of that exhibit, was the information</p> <p>10 in that paragraph provided to you by the</p> <p>11 detective?</p> <p>12 A. Yes, it was.</p> <p>13 Q. One quick question about that incident at the</p> <p>14 Holiday Inn that you had mentioned where you had</p> <p>15 left the hotel to get something for your mother.</p> <p>16 A. Well, me and my mother left.</p> <p>17 Q. For you and your mother?</p> <p>18 A. No. Me and my mother left. We left together.</p> <p>19 Q. Oh, you and your mother left?</p> <p>20 A. Yes, uh-huh.</p> <p>21 Q. Okay. Which detective was it who cussed you out?</p> <p>22 MR. FUNK: Objection.</p> <p>23 A. Detective Terpay.</p> <p>24 THE COURT REPORTER: Sorry?</p> <p>25 THE WITNESS: Terpay.</p>
<p style="text-align: right;">Page 234</p> <p>1 Q. And let me just clarify, earlier on, in the</p> <p>2 beginning of your testimony today, you had</p> <p>3 described an interview or an interrogation with</p> <p>4 Detectives Terpay and Farmer where they were</p> <p>5 providing you with some information the day after</p> <p>6 the shooting. Do you recall that?</p> <p>7 A. Uh-huh.</p> <p>8 THE COURT REPORTER: "Yes"?</p> <p>9 THE WITNESS: Yes.</p> <p>10 - - - -</p> <p>11 (Thereupon, Plaintiff's Exhibit 7 was marked</p> <p>12 for purposes of identification.)</p> <p>13 - - - -</p> <p>14 Q. And was the information that's in paragraph one</p> <p>15 -- or paragraph -- page one, the last paragraph</p> <p>16 of Deposition Exhibit 7, is that the information</p> <p>17 that the detectives were providing you on that</p> <p>18 occasion?</p> <p>19 MR. FUNK: Objection.</p> <p>20 A. This is some of it.</p> <p>21 Q. Okay. And take a look at page two, the first</p> <p>22 full paragraph of page two of that report, and</p> <p>23 just look at it and to yourself and let me know</p> <p>24 when you're done.</p> <p>25 A. Okay.</p>	<p style="text-align: right;">Page 236</p> <p>1 MS. WANG: I have no further</p> <p>2 questions.</p> <p>3 - - - -</p> <p>4 RE-EXAMINATION OF EDWARD VERNON</p> <p>5 BY MR. FUNK:</p> <p>6 Q. Referring to Exhibit 7, just so I understand that</p> <p>7 when you talk about, fed you the information, did</p> <p>8 they say -- was it the kind of thing where they</p> <p>9 asked you the question like, did you see -- I'm</p> <p>10 going to use it as an example -- did you see both</p> <p>11 suspects running south on Petraca, and at the</p> <p>12 corner of Frank and Petraca enter a dark green</p> <p>13 car with a light green top and then you would say</p> <p>14 yes. Is that how that worked?</p> <p>15 A. They asked me, they said, well, it's two guys</p> <p>16 involved in this, that were outside the store,</p> <p>17 right? Yeah.</p> <p>18 Q. Okay.</p> <p>19 A. You know, stuff like that, yeah.</p> <p>20 Q. And that's kind of the way it would go, they</p> <p>21 would ask you a question that would have facts in</p> <p>22 the question --</p> <p>23 A. And --</p> <p>24 Q. -- suggesting the answer and then you would say</p> <p>25 "yes" to the question?</p>

1 A. Yes.
 2 Q. So, all the information that they conveyed in the
 3 reports --
 4 A. Kind of gave me. Was --
 5 Q. Let me get the question out first, I'm sorry.
 6 A. Go ahead.
 7 Q. The last paragraph and the first paragraph on
 8 page two that was just described for you that you
 9 reviewed --
 10 A. Uh-huh.
 11 Q. -- the information on this, when they asked you
 12 the questions whether what was on here was true,
 13 you said "yes"?
 14 A. Yes.
 15 MR. FUNK: Okay. No further
 16 questions.
 17 MS. WANG: Nothing further.
 18 THE VIDEOGRAPHER: This concludes
 19 the deposition. We're off the record at
 20 4:24.
 21 MS. WANG: So, you have the option
 22 of either reserving signature for your
 23 deposition or waiving signature.
 24 Reserving signature means that you
 25 would like to review the transcript, make

1 sure everything in it has been transcribed
 2 accurately by the court reporter, and you
 3 can make any, you know, corrections if he
 4 didn't hear you right or something.
 5 THE WITNESS: Uh-huh.
 6 MS. WANG: Waiving means you just
 7 trust that the court reporter has recorded
 8 everything correctly and you don't need to
 9 review it. Which one would you like to do?
 10 THE WITNESS: Both.
 11 MS. WANG: Would you like to
 12 reserve, that means you can just review it
 13 for accuracy?
 14 THE WITNESS: You know, I trust
 15 the court reporter.
 16 MS. GILBERT: It's also on tape by
 17 the way, so --
 18 THE WITNESS: I trust, I trust, I
 19 trust. We're good.
 20 MS. WANG: Okay.
 21 - - - -
 22 (The reading and signing of the
 23 deposition was expressly waived by the witness
 24 and by stipulation of counsel.)
 25 - - - -

1
 2
 3 CERTIFICATE
 4
 5 The State of Ohio,) SS:
 6 County of Cuyahoga.)
 7
 8 I, Brian A. Kuebler, a Notary Public within
 9 and for the State of Ohio, authorized to
 10 administer oaths and to take and certify
 11 depositions, do hereby certify that the
 12 above-named witness was by me, before the giving
 13 of their deposition, first duly sworn to testify
 14 the truth, the whole truth, and nothing but the
 15 truth; that the deposition as above-set forth was
 16 reduced to writing by me by means of stenotypy,
 17 and was later transcribed by computer-aided
 18 technology under my direction; that this is a true
 19 record of the testimony given by the witness; that
 20 said deposition was taken at the aforementioned
 21 time, date and place, pursuant to notice or
 22 stipulation of counsel; and that I am not a
 23 relative or employee or attorney of any of the
 24 parties, or a relative or employee of such
 25 attorney, or financially interested in this
 action; that I am not, nor is the court reporting
 firm with which I am affiliated, under a contract
 as defined in Civil Rule 28(D).
 IN WITNESS WHEREOF, I have hereunto set my
 hand and seal of office, at Cleveland, Ohio, this
 ____ day of _____ A.D. 20 _____.
 Brian A. Kuebler, Notary Public, State of Ohio
 55 Public Square, Suite 1332
 Cleveland, Ohio 44113
 My commission expires June 12, 2017